

DOCUMENT RESUME

ED 301 672

CE 051 409

TITLE Business Law: Task Analyses. Competency-Based Education.

INSTITUTION Dinwiddie County Public Schools, VA.; Henrico County Public Schools, Glen Allen, VA. Virginia Vocational Curriculum Center.

SPONS AGENCY Virginia State Dept. of Education, Richmond. Div. of Vocational and Adult Education.

PUB DATE 85

CONTRACT VA-80-C-132-AD-001B

NOTE 108p.; For a related document, see CE 051 178.

AVAILABLE FROM Virginia Vocational Curriculum and Resource Center, 2200 Mountain Road, Glen Allen, VA 23060-2208 (\$6.38).

PUB TYPE Guides - Classroom Use - Guides (For Teachers) (052)

EDRS PRICE MF01 Plus Postage. PC Not Available from EDRS.

DESCRIPTORS *Behavioral Objectives; *Business Education; Community Colleges; Competency Based Education; *Course Content; Criterion Referenced Tests; *Job Skills; *Law Related Education; Laws; Learning Activities; Postsecondary Education; *Task Analysis

IDENTIFIERS *Business Law

ABSTRACT

This task analysis guide is intended to help teachers and administrators develop instructional materials and implement competency-based education for a course in business law. Section 1 contains a validated task inventory for business law. For each task, applicable information pertaining to performance and enabling objectives, criterion-referenced measures, and suggested instructional activities and aids is provided. In this section, tasks are arranged by worker content/concept areas only, and no attempt is made to sequence tasks in instructional order. Section 2 provides a description of the business education programs and program options that incorporate business law. These materials follow: a description of the courses, a task sequence list that provides a suggested order of the task inventory for the actual course instruction, and a course content outline. The instructional topics within the course content outline have been cross-referenced with corresponding task/competency codes from the task inventory in Section 1. A bibliography is followed by two appendixes: amplification of selected instructional activities and ordering addresses for brochures and audiovisual materials. (YLB)

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Business Law: Task Analyses

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EDUCATION

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GUIDE APPLICATION

Because Business Law is a complementary course for all Business Education secondary occupational programs, it can be used as a part of all occupations represented in Section I of the Business Education Service Area Resource.

Therefore, the guide is useful in developing and selecting instructional materials and in implementing competency-based education for the following programs:

- Accounting and Computing Occupations (07.0101)
- Business Data Processing Occupations (07.0301)
- General Office and Administrative Support (07.0701)
- Secretarial/Word Processing and Administrative Support (07.0601)

Additional information concerning the application and use of this guide in program planning and development may be obtained from the following:

Business Education Service
Department of Education
P.O. Box 6Q
Richmond, Virginia 23216

TASK ANALYSES
FOR
BUSINESS LAW

Developed by

Virginia Vocational Curriculum Center
Department of Vocational and Community Education
Henrico County Public Schools
Glen Allen, Virginia 23060

and

Dinwiddie County Public Schools
Dinwiddie, Virginia 23841

In Cooperation With

Commonwealth of Virginia
Department of Education
Vocational and Adult Education
Richmond, Virginia 23216

This instructional guide was developed for the Virginia Department of Education, Divisions of Vocational and Adult Education under the provisions of CBE Project Contract #VA-80-C-132-AD-001B, awarded to Dinwiddie County Public Schools.

FOREWORD

In the next decade, businesses and industries in Virginia will require large numbers of skilled workers. Therefore, vocational education at the secondary and postsecondary levels will have the responsibility of preparing individuals for a variety of occupations.

Competency-based education (CBE) provides the preparation students need for entry into the Virginia work force. The CBE practice of recording competencies developed by students helps them to make a smooth transition between secondary and postsecondary programs when both levels of education are required for career training. In addition, CBE is effective in retraining workers who have been displaced because of changing technology.

This guide will assist teachers and administrators in developing instructional materials that meet the needs of students and industry and comply with the Virginia CBE standards for vocational and adult education.

S. John Davis
Superintendent of Public Instruction

Melvin H. Garner
Administrative Director
Vocational and Adult Education

ACKNOWLEDGMENTS

The development and completion of this task analyses guide required a vast expenditure of time and effort by the project staff and participants. The teachers who served as researchers and writing team members for the guide deserve recognition of their dedication, time, and expertise. Susan A. Bethea, Julia L. Summey, and William Trinkle of Dinwiddie County Senior High School are gratefully acknowledged.

Appreciation is expressed to Hattie M. Walker, Project Director, and also to Dr. Owen Fields, Business Education, Longwood College, who provided valuable advice and assistance to the writing team members.

Barbara Haynes, consultant to the Virginia Vocational Curriculum Center and Business Education instructor, Henrico County Schools, is recognized for the development and validation of the task inventory included in this guide.

Dr. Kay B. Brown, Vocational Curriculum Development Supervisor, Virginia Department of Education, is recognized for coordinating the final publication process. The organization and editorial revisions necessary to prepare the manuscript for publication were performed by the Virginia Vocational Curriculum Center, administered by Henrico County Public Schools, Department of Vocational and Community Education:

Flora C. Armstrong, Center Director
Anita Cruikshank, Writer/Editor

Special recognition is given to the students of the Henrico Trade Center of the Henrico County Public Schools, Department of Vocational and Community Education. Under the supervision of William D. Burton, printing instructor, these students printed, assembled, packaged, and prepared the guide for distribution.

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INTRODUCTION

This task analyses guide is designed to be used in combination with the Business Education Service Area Resource in order to implement competency-based education in the course, Business Law. The service area resource contains information that pertains to all programs within the Business Education area; the sections of that publication are entitled Occupational Information, Student Organization (FBLA), Classroom Management Systems, and Recording Systems. This task analyses guide contains the task inventory, program and course descriptions, and content outline for the specific course in Business Law. Detailed instructions for combined use of these two publications are contained within the service area resource.

Using the Task Analyses

Section 1 of the task analyses guide contains a validated task inventory for Business Law. For each task, applicable information pertaining to performance and enabling objectives, criterion-referenced measures, and suggested instructional activities and aids is provided.

Section 2 provides a description of the Business Education programs and program options which incorporate Business Law. This is followed by a description of the course and a course content outline. The instructional topics within the course content outline have been cross-referenced with corresponding task/competency codes from the task inventory in Section 1.

It is suggested that the Section 2 course content outline be reviewed initially in order that any desired changes in sequencing of instruction be made. Once the sequencing is confirmed, instructional planning and implementation may proceed through referral to the Section 1 task/competency sheet noted beside each instructional topic within the outline.

SECTION 1.

TASK INVENTORY

One of the major characteristics of competency-based education (CBE) is that the course content is based upon actual jobs or tasks performed by the worker. In Virginia, the Department of Education has established standards for competency-based education. According to these standards, competencies must be role-relevant and based upon appropriate research. This standard states:

Role-relevant competencies that include standards are identified and stated.

The competencies with standards will be identified through V-TECS, IDECC, and other appropriate research. Advisory Committees should be used to review competencies and standards. Competencies in the affective domain will be included. Role-relevant competencies for occupational preparation programs are those that specifically relate to the occupation for which the student is being prepared as well as to the personal needs of the student. Role-relevant competencies are related also to orientation, exploration, and/or industrial arts experiences which have been identified for students.

Therefore, role-relevant jobs or tasks, called competencies in CBE, must be identified and validated before instructional materials are developed and subsequent instruction takes place.

Instead of dealing with tasks to be performed on the job, business law involves knowledge and skills necessary to function as an effective citizen, with the rights and responsibilities inherent in that role. In place of published data identifying task/competencies in business law, it was necessary to rely on professional judgment as to what constitutes necessary achievements.

The standard in business law is not the same kind of precise measurement as in job-oriented vocational programs, because the task/competency is linked to the uniqueness of the individual learner and her or his value system.

The task list contained in this task analyses guide is based on the following:

1. The review and selection of appropriate competency-based materials developed by other states and systems
2. Interviews with former students and incumbent workers in business

3. Input from business teachers and curriculum specialists
4. Input from local craft advisory committee members.

Based upon the information collected and reviewed from the available sources indicated, a task inventory was prepared.

The next major step involved in the development of the task inventory was validation of the listed tasks. Validation is essential if the information collected is to be useful in operating CBE courses and programs. The validation process involved the following:

1. Review by writing team members to determine completeness of the inventory
2. Review and validation by the local craft advisory committee to ensure the role-relevance and completeness of the inventory
3. Final review and editing by writing team members, project directors, and state staff.

The task list included in this guide was based on current available resources and validated by business teachers and advisory committee members.

The task analysis sheets in Section 1 are arranged by content/concept area for the specific domain covered by the guide. Information contained on each sheet is as follows:

1. The task/competency for a given content/concept area which provides orientation for students
2. Program and course application information
3. Performance and enabling objectives for instructional materials development
4. Criterion-referenced measures or test items used to determine successful attainment of each task/competency by the student
5. Instructional activities and steps required for teaching the task/competency
6. Tools, materials, and supplies required to provide necessary instruction
7. References and audiovisual materials helpful in teaching the task/competency.

TASK INVENTORY FOR

BUSINESS LAW

CONTENT / CONCEPT AREAS

1. Exploring Legal Rights and Responsibilities
2. Summarizing the Legal System
3. Making Contracts
4. Applying Law to Employment
5. Applying Law to Family Life
6. Making Wise Consumer Choices
7. Using Purchasing Power
8. Applying Law to Entrepreneurship

CONTENT / CONCEPT

1. EXPLORING LEGAL RIGHTS AND RESPONSIBILITIES

TASKS / COMPETENCIES

- 1.1 Describe the different types of law and their roles in society
- 1.2 Identify rules of law affecting minors

Application**CONTENT / CONCEPT**

1. EXPLORING LEGAL RIGHTS AND RESPONSIBILITIES

PROGRAM

BUSINESS EDUCATION

TASK / COMPETENCY

- 1.1 Describe the different types of law and their roles in society

COURSE

Business Law (6131)

1.1

PERFORMANCE OBJECTIVE

- PI.1 Given previous class discussion on the sources of U.S. law; roles of law in a society; the development of English common law; and the differences between moral, natural, and human-made laws, describe the different types of law and their roles in society by completing multiple-choice and essay questions on a written test with 85% accuracy.

SELECTED ENABLING OBJECTIVES

- E1.1.1 Explain why laws are necessary in a civilized society.
- E1.1.2 Describe types of laws that are important in U.S. society.
- E1.1.3 Define law and explain how laws are carried out.
- E1.1.4 List and define the sources of present-day forms of law.
- E1.1.5 Describe how English common law developed and its effect on the evolvement of U.S. law.
- E1.1.6 Distinguish among moral laws, natural laws, and laws developed by people to govern themselves.

CRITERION-REFERENCED MEASURE

- CI.1 Written test, 85% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Develop a story concerning people who have to start from the beginning to form a society.* Have students list the types of problems that must be solved, what laws would be needed, and why these laws would be needed (E1.1.1).
2. Set up a hypothetical situation for the students in which enemy aliens from another planet take over the country and in a TV broadcast demand that citizens choose five of the ten Bill of Rights they want to keep. List the rights on the chalkboard* and have students discuss why each was included on the Constitution, then try to choose the five they believe to be the most important (E1.1.2).
3. Have students define law (rules of conduct that govern people in their dealings with one another) (E1.1.3).
4. Have students discuss how laws are carried out: (a) by spelling out what is right and defining legal rights and responsibilities of people, and (b) by providing the means for enforcing the legal rights and duties (E1.1.3).
5. Have students list and define the sources of today's law* (E1.1.4).
6. Have student conduct research and write a report on how English common law developed and its effect on U.S. law; they should include the role of the changing feudal system in developing the law of precedent, as well as the evolvement of the law merchant as the basis for the Uniform Commercial Code (E1.1.5).
7. Have students apply the concepts learned to case situations developed either by the textbook or by the teacher (E1.1.1-E1.1.5).
8. Have students distinguish among natural laws, moral laws, and laws made by people to govern themselves* (E1.1.6).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Overhead projector
Instructor-prepared written test

SELECTED AUDIOVISUAL MATERIALS

Transparency: Diagram of sources of today's law (instructor-provided)

SELECTED REFERENCES

Applied Business Law, 12th ed., pp. 3-10. Mietus, et al.
Understanding Business and Consumer Law, 6th ed., pp. 3-12. Rosenberg, et al.

CONTENT/CONCEPT

1. EXPLORING LEGAL RIGHTS AND RESPONSIBILITIES

PROGRAM

BUSINESS EDUCATION

TASK/COMPETENCY

- 1.2 Identify rules of law affecting minors

COURSE

Business Law (6131)

1.2

PERFORMANCE OBJECTIVE

- P1.2 Given multiple choice and essay questions and case situations dealing with minors involved in torts and crimes; the rights and responsibilities of minors and their parents; the laws that affect minors in relation to contracts, child labor, marriage, and the operation of motor vehicles; the rights and responsibilities of minors vs. the school authorities; and definitions of legal terms, identify rules of law affecting minors by completing the test with 85% accuracy.

SELECTED ENABLING OBJECTIVES

- E1.2.1 Explain the significance of being a minor in case of torts and crimes.
- E1.2.2 Describe the rights and responsibilities of minors in relation to their parents.
- E1.2.3 State laws that affect minors in the area of contracts, child labor, marriage, and motor vehicles.
- E1.2.4 Describe the rights of minors in their schools and the rights of school authorities.
- E1.2.5 Define legal terms related to minors.

CRITERION-REFERENCED MEASURE

- C1.2 Written test, 85% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Discuss the significance of being a minor in the case of torts and crimes; emphasize that minors are generally responsible for their torts and may be sued for damages, and in crimes, minors at the age of seven and older are generally held responsible for their actions (E1.2.1).
2. Have students research their rights and responsibilities toward their parents* (E1.2.2).
3. Have students research and discuss how minors are affected by various civil laws* (E1.2.3).
4. Have students prepare role-playing situations which illustrate their rights and responsibilities* (E1.2.3).
5. Have students report on their rights and responsibilities in their schools; invite the principal or assistant principal to speak to students about school law and answer questions about school practices (E1.2.4).
6. Have students list and define legal terms they feel all minors should know; add to the list any terms needed to make the list complete (E1.2.5).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Overhead projector
Instructor-prepared written test

SELECTED AUDIOVISUAL MATERIALS

Transparency: The Law and the Minor, from Applied Business Law.

SELECTED REFERENCES

Applied Business Law, 12th ed., pp. 32-44. Mietus, et al.
Understanding Business and Consumer Law, 6th ed., pp. 3-12. Rosenberg, et al.
When I Get to Be 18! Instructional kit from BFA Educational Media.

CONTENT / CONCEPT**2. SUMMARIZING THE LEGAL SYSTEM**

TASKS / COMPETENCIES

- 2.1 Identify and distinguish between crimes and torts
- 2.2 Describe the court system and how a case goes to trial

CONTENT/CONCEPT

2. SUMMARIZING THE LEGAL SYSTEM

PROGRAM

BUSINESS EDUCATION

TASK/COMPETENCY

- 2.1 Identify and distinguish between crimes and torts

COURSE

Business Law (6131)

2.1

PERFORMANCE OBJECTIVE

- P2.1 Given multiple choice and essay questions and case situations on criminal law (including felonies and misdemeanors, the classes of felonies, the types of crimes, and the rights of citizens and the police during an arrest) and tort law (including the most common torts), identify and distinguish between crimes and torts by completing the test with 85% accuracy.

SELECTED ENABLING OBJECTIVES

- E2.1.1 Define crime and distinguish between felonies and misdemeanors.
- E2.1.2 List and define the classes of felonies.
- E2.1.3 List and describe the types of crimes.
- E2.1.4 Describe the rights of the citizen and the rights of the police in case of arrest.
- E2.1.5 Define tort and list and describe the most common torts.

CRITERION-REFERENCED MEASURE

- C2.1 Written test, 85% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students define crime (an offense against the public) and distinguish between and give examples of felonies and misdemeanors* (E2.1.1).
2. Conduct a discussion on the classes of felonies: (a) principal in the first degree (b) principal in the second degree, (c) accessory before the fact, and (d) accessory after the fact* (E2.1.2).
3. Have students list and describe the types of crimes: (a) conspiracy, (b) burglary, (c) arson, (d) larceny, (e) embezzlement, (f) robbery, (g) assault and battery, (h) murder, and (i) manslaughter* (E2.1.3).
4. Invite a police officer to explain the rights of citizen and the police during an arrest and to discuss arrest procedures and how a police officer would handle various criminal situations (E2.1.4).
5. Have students collect several news articles concerning court decisions regarding crimes; discuss these in class and have student classify the cases into felonies and misdemeanors (E2.1.3).
6. Discuss and have students define and give examples of torts, including assault and battery, negligence, trespass, defamation, fraud, conversion, and false arrest (E2.1.5).
7. Have students role play situations in which torts occur (E2.1.5).
8. Have students collect news articles dealing with cases involving torts and report to the rest of the class (E2.1.5).
9. Present case situations to students and have them identify the type of tort involved (E2.1.5).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Filmstrip projector
Overhead projector
Instructor-prepared written test

SELECTED AUDIOVISUAL MATERIALS

Filmstrips: Arrest and Seize and The Hitchhiker, Under the Law Series. Audiovisual Services, Virginia Department of Education.

Transparencies: How Are Crimes Classified? and How Are Torts Classified? from Applied Business Law.

SELECTED REFERENCES

Applied Business Law, 12th ed., pp. 87-110. Mietus, et al.
Understanding Business and Consumer Law, 6th ed. Rosenberg, et al.

CONTENT/CONCEPT

2. SUMMARIZING THE LEGAL
SYSTEM

PROGRAM

BUSINESS EDUCATION

TASK/COMPETENCY

- 2.2 Describe the court system and
how a case goes to trial

COURSE

Business Law (6131)

2.2

PERFORMANCE OBJECTIVE

- P2.2 Given previous class discussion and role plays covering the various courts and legal jurisdictions of the federal and state systems, terms used in trials, roles of people in lawsuits, steps of a trial, and the roles of the judge and the jury, describe the court system and how a case goes to trial by completing a written test with 85% accuracy.

SELECTED ENABLING OBJECTIVES

- E2.2.1 Describe the courts in the federal court system and the jurisdiction of these federal courts.
- E2.2.2 Describe the courts found within the state court system.
- E2.2.3 Describe the roles of people in a lawsuit.
- E2.2.4 Define legal terms used in conducting court trials.
- E2.2.5 Identify the roles of the judge and the jury in a court trial.
- E2.2.6 Identify and describe the steps of a trial.

CRITERION-REFERENCED MEASURE

- C2.2 Written test, 85% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students describe the types of cases that would be tried in federal courts and identify the courts to be found in the federal court system* (E2.2.1).
2. Have students describe the types of cases that would be tried in state courts and identify and describe the courts to be found within the state system* (E2.2.2).
3. Discuss the roles of the people in a lawsuit, including the plaintiff, defendant, attorneys, clerk of court, process server, judge, jury, witnesses, and bailiff (E2.2.3).
4. Have students define the following terms: expert witness, lay witness, subpoena, summons, indictment, grand jury, petit jury, pleadings, trial brief, due process, demurrer, writ of replevin, writ of execution, writ of garnishment, substantive law, and procedural law (E2.2.4).
5. Have students identify the roles of the judge and the jury in a court trial: the jury determines the facts and the judge applies the law to the facts (E2.2.5).
6. Have students role play the steps of a trial, describing what happens at each step (E2.2.6).
7. Arrange a field trip to a local district and circuit court (E2.2.4-E2.2.6).
8. Have students prepare and present cases in mock trials, inviting an attorney to act as the judge (E2.2.4-E2.2.6).
9. Invite a trial attorney to discuss trial procedures and the "do's and don'ts" of appearing in court (E2.2.4-E2.2.6).
10. Have students write for information from the courts in their jurisdiction (E2.2.1-E2.2.6).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Instructor-prepared written test
Instructor-prepared scenarios for role plays

SELECTED AUDIOVISUAL MATERIALS

None identified

SELECTED REFERENCES

Applied Business Law, 12th ed., pp. 114-131. Mietus, et al.
Understanding Business and Consumer Law, 6th ed., pp. 34-53. Rosenberg, et al.

CONTENT / CONCEPT

3. MAKING CONTRACTS

TASKS / COMPETENCIES

- 3.1 Analyze the elements of a contract
- 3.2 Differentiate between those contracts that are transferable and those that are not transferable
- 3.3 Identify and describe the means of discharging contracts
- 3.4 Explain remedies available for a breach of contract

CONTENT/CONCEPT

3. MAKING CONTRACTS

PROGRAM

BUSINESS EDUCATION

TASK/COMPETENCY

3.1 Analyze the elements of a contract

COURSE

Business Law (6131)

3.1

PERFORMANCE OBJECTIVE

P3.1 Given previous class discussion involving case situations, analyze the elements of a contract by identifying and explaining on a written test with 85% accuracy the types of contracts; the differences among valid, void, and voidable contracts; what constitutes a valid offer and acceptance; those situations that make contracts voidable and void; the role of consideration; and those contracts that must be in writing.

SELECTED ENABLING OBJECTIVES

- E3.1.1 Describe the types of contracts.
- E3.1.2 Describe the differences among a valid, void, and voidable contract.
- E3.1.3 List and describe the elements of a contract.
- E3.1.4 Describe a valid offer and acceptance of a contract.
- E3.1.5 Identify those situations that would cause a contract to be voidable.
- E3.1.6 Identify those contracts that would be void and could not be enforced by either party.
- E3.1.7 Describe the role of consideration in contracts.
- E3.1.8 List and describe those contracts which must be in writing under the statute of frauds.

CRITERION-REFERENCED MEASURE

C3.1 Written test, 85% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students describe the following types of contracts: express, implied, simple, formal, executed, executory, entire, divisible, bilateral, and unilateral (E3.1.1).
2. Discuss and have students describe the differences among void, valid, and voidable contracts* (E3.1.2).
3. Prepare a bulletin board display of a contract, with tags identifying the six elements.* Have students describe why each element is necessary to an enforceable contract (E3.1.3).
4. Have students describe what constitutes a valid offer and acceptance of a contract* (E3.1.4).
5. Develop case situations that illustrate valid offers, valid acceptances, revocations, invitations, counteroffers, rules on communication of acceptances, and terminations of offers* (E3.1.4).
6. Prepare a mini mock trial case on offer and acceptance (E3.1.4).
7. Have students list and describe those situations which would make a voidable contract, including fraud, duress, undue influence, mistake, contract with a minor, and contract made when intoxicated (E3.1.5).
8. Have students describe those situations that cause a void contract* (E3.1.6).
9. Discuss what is meant by consideration, emphasizing that consideration consists of (a) a return promise, (b) an act performed, and (c) a forbearance (E3.1.7).
10. Prepare role-play situations illustrating consideration in cases of past consideration, gifts, forbearance, etc. (E3.1.7).
11. Have students list and describe those contracts which must be in writing under the statutes of frauds: (a) contracts to pay the debts of another, (b) contracts in consideration of marriage, (c) contracts for real property, (d) contracts for goods for more than \$1,500, and (e) contracts that take more than a year to perform (E3.1.8).
12. Prepare case situations illustrating the elements of a contract (E3.1.1-E3.1.8).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Overhead projector
 Instructor-prepared written test
 Instructor-prepared case situations and role plays

SELECTED AUDIOVISUAL MATERIALS

Transparencies: Voidable Contracts, from Applied Business Law.

SELECTED REFERENCES

Applied Business Law, 12th ed., pp. 69-81. Mietus, et al.
Understanding Business and Consumer Law, 6th ed., pp. 135-148. Rosenberg, et al.

CONTENT / CONCEPT

3. MAKING CONTRACTS

PROGRAM

BUSINESS EDUCATION

TASK / COMPETENCY

3.2 Differentiate between those contracts that are transferable and those that are not transferable

COURSE

Business Law (6131)

3.2

PERFORMANCE OBJECTIVE

P3.2 Given four case situations, differentiate between those contracts that are transferable and those that are not transferable by stating with 100% accuracy in each case whether rights can be assigned or duties delegated and the rights of the parties to the contract.

SELECTED ENABLING OBJECTIVES

E3.2.1 Define assignment of rights and describe the rights and responsibilities of all parties to an assignment.

E3.2.2 Define delegation of duties and describe those duties that can and cannot be transferred.

CRITERION-REFERENCED MEASURE

C3.2 Case situation analyses, 100% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students define what is meant by an assignment of rights and illustrate how this takes place. Lead a discussion on the rights and responsibilities of each of the parties* (E3.2.1).
2. Have students role play a situation in which an assignment is made. For example, student A assigns a debt for money owed to him or her by student B to student C. The students should depict the manner in which student B is informed of the change of creditor, the rights of each of the parties, etc. (E3.2.1, E3.2.2).
3. Prepare a bulletin board display illustrating the assignment of rights, which lists examples of those rights that can be assigned, the duties that can and cannot be delegated, and the rights and responsibilities of all parties involved (E3.2.1, E3.2.2).
4. Have students discuss delegation of duties and which duties may and may not be transferred* (E3.2.2).
5. Prepare case situations (or have the students develop cases) that illustrate the assignment of rights and the delegation of duties (E3.2.1, E3.2.2).
6. Have students role play situations illustrating those duties that can and cannot be delegated (E3.2.2).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Overhead projector

Instructor-prepared case situations and role-play scenarios

SELECTED AUDIOVISUAL MATERIALS

Transparency: Relationship of assignor, assignee, and third party (instructor-provided)

SELECTED REFERENCES

Applied Business Law, 12th ed., pp. 240-243. Mietus, et al.

Understanding Business and Consumer Law, 6th ed., pp. 140-145. Rosenberg, et al.

CONTENT/CONCEPT

3. MAKING CONTRACTS

PROGRAM

BUSINESS EDUCATION

TASK/COMPETENCY

3.3 Identify and describe the means of discharging contracts

COURSE

Business Law (6131)

3.3

PERFORMANCE OBJECTIVE

P3.3 Given multiple choice questions and case problems covering the terms used in discharging contracts and the ways contracts are discharged (with emphasis on full performance, impossibility of performance, substantial performance, substituted agreements, novation, and accord and satisfaction), identify and describe the means of discharging contracts by completing the test with 85% accuracy.

SELECTED ENABLING OBJECTIVES

- E3.3.1 Define terms related to the discharge of contracts.
- E3.3.2 Describe the ways contracts are discharged.
- E3.3.3 Describe how contracts are terminated by impossibility of performance.
- E3.3.4 Describe how contracts are terminated by substantial performance.
- E3.3.5 Explain how contracts are terminated by novation and accord and satisfaction agreements.

CRITERION-REFERENCED MEASURE

C3.3 Written test, 85% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students define novation, mutual release, accord and satisfaction, termination of contract, breach of contract, tender of performance, discharge by lapse of time, substantial performance, reasonable time, operation of law, alteration, and destruction of exact subject matter (E3.3.1).
2. Have students describe how contracts can be discharged by (a) performance, (b) agreement, (c) impossibility of performance, and (d) operation of law (E3.3.2).
3. Have students describe how most contracts are discharged (full performance) (E3.3.2).
4. Have students role play situations that illustrate impossibility of performance* (E3.3.3).
5. Prepare case situations that illustrate substantial performance--preferably ones taken from real life* (E3.3.4).
6. Invite an attorney to talk with students about contracts and his or her experiences in dealing with court cases involving breach of contract (E3.3.1-E3.3.4).
7. Have students develop and role play situations in which the substitution of a contract takes place by means of a novation (a new executory contract) and an accord and satisfaction (a new executed contract) (E3.3.5).
8. Have students describe interesting personal or family experiences in which contracts were breached (E3.3.1-E3.3.5).
9. Prepare a bulletin board display showing the ways that contracts can be discharged (E3.3.1-E3.3.5).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Instructor-prepared written test
Instructor-prepared case situations

SELECTED AUDIOVISUAL MATERIALS

None identified

SELECTED REFERENCES

Applied Business Law, 12th ed., pp. 244-250. Mietus, et al.
Understanding Business and Consumer Law, 6th ed., pp. 128-136. Rosenberg, et al.

CONTENT/CONCEPT

3. MAKING CONTRACTS

PROGRAM

BUSINESS EDUCATION

TASK/COMPETENCY3.4 Explain remedies available for
a breach of contract**COURSE**

Business Law (6131)

3.4

PERFORMANCE OBJECTIVE

P3.4 Given previous class discussion and case situations covering terms related to breach of contract, the alternatives of the injured party, the statutes of limitations, and the obligation of the injured party to minimize loss in the event of a breach of contract, explain remedies available for a breach of contract with 85% accuracy on a written test.

SELECTED ENABLING OBJECTIVES

- E3.4.1 Define breach of contract, bankruptcy, anticipatory breach, specified performance, actual damages, incidental damages, liquidated damages, and nominal damages.
- E3.4.2 Identify the alternatives the injured party might choose in a breach of contract.
- E3.4.3 Describe the statutes of limitations and effects on rights to legal action when a person being sued leaves the state or a person suing is incapacitated.
- E3.4.4 Describe the obligation of the injured party to minimize damages caused by a breached contract.

CRITERION-REFERENCED MEASURE

C3.4 Written test, 85% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students define terms related to breach of contract (E3.4.1).
2. Have students list and discuss the alternatives of the injured party to a contract* (E3.4.2).
3. Have students develop case situations that illustrate (a) a breach of contract and (b) the various remedies that might be selected* (E3.4.2).
4. Have students research actual civil cases as to their circumstances and prepare a report on these cases, describing the judgments awarded (E3.4.1, E3.4.2).
5. Prepare a bulletin board display on the steps that might be taken from the time that a breach or an anticipatory breach occurs, and showing the alternatives of the injured party, the types of damages he or she might receive, etc. (E3.4.1, E3.4.2).
6. Have students describe the statutes of limitations found in most states by explaining what happens when the person to be sued leaves the state or the person suing becomes incapacitated* (E3.4.3).
7. Have students describe the role of the injured party in minimizing damages* and give examples of how this is done (E3.4.4).
8. Invite an attorney working with civil cases to discuss the types of judgments his or her clients have sued for and received (E3.4.1-E3.4.4).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Instructor-prepared written test

SELECTED AUDIOVISUAL MATERIALS

None identified

SELECTED REFERENCES

Applied Business Law, 12th ed., pp. 256-265. Mietus, et al.
Understanding Business and Consumer Law, 6th ed., pp. 133-136, 143-146. Rosenberg, et al.

CONTENT / CONCEPT**4. APPLYING LAW TO EMPLOYMENT**

TASKS / COMPETENCIES

- 4.1 Explain the rights and responsibilities of parties to an employment contract
- 4.2 Identify federal and state laws and agencies dealing with employment
- 4.3 Identify the protections available to employees

CONTENT / CONCEPT

4. APPLYING LAW TO EMPLOYMENT

TASK / COMPETENCY

- 4.1 Explain the rights and responsibilities of parties to an employment contract

PROGRAM

BUSINESS EDUCATION

COURSE

Business Law (6131)

4.1

PERFORMANCE OBJECTIVE

- P4.1 Given previous assignments and class discussion, explain the rights and responsibilities of parties to an employment contract by answering with 85% accuracy questions on a written test dealing with the types of employment contracts, the rights and responsibilities of employers and employees, the liability of employers for the actions of their employees, and how employment contracts are terminated.

SELECTED ENABLING OBJECTIVES

- E4.1.1 List and define the types of employment contracts.
- E4.1.2 Explain the rights of employees and employers in an employment contract.
- E4.1.3 Describe the employer's liability for the actions of an employee.
- E4.1.4 Explain how employment contracts are terminated and identify the rights and responsibilities of both parties to a terminated contract.

CRITERION-REFERENCED MEASURE

- C4.1 Written test, 85% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students discuss the types of employment contracts: oral contracts, written contracts, and collective bargaining contracts* (E4.1.1).
2. List and conduct a discussion of some rights of employees and employers in an employment contract* (E4.1.2).
3. Have students interview one or two employers and report on (a) the types of contracts the employers use, (b) their requirements of employees, and (c) procedures for terminating employees (E4.1.1, E4.1.2).
4. Invite a union official (either within a company or from a labor organization) to talk with students about how contracts are negotiated (E4.1.1).
5. Have a speaker from an organization that uses formal contracts (for example, teacher contracts) discuss their contracts and some of the agreements found within the contracts as to the rights of both parties (E4.1.1, E4.1.2).
6. Have students discuss the liability of employers for their employees' actions* (E4.1.3).
7. Have students research and report on how employment contracts are terminated and the rights and responsibilities of both parties* (E4.1.4).
8. Have students work in groups to develop a list of suggestions for reducing legal risks for employees (E4.1.2, E4.1.4).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Instructor-prepared written test
Overhead projector

SELECTED AUDIOVISUAL MATERIALS

Transparencies: Employment contracts (instructor-provided)

SELECTED REFERENCES

Applied Business Law, 12th ed., pp. 362-373. Mietus, et al.
Understanding Business and Consumer Law, 6th ed., pp. 160-168. Rosenberg, et al.

CONTENT / CONCEPT

4. APPLYING LAW TO EMPLOYMENT

TASK / COMPETENCY

- 4.2 Identify federal and state laws and agencies dealing with employment

PROGRAM

BUSINESS EDUCATION

COURSE

Business Law (6131)

4.2

PERFORMANCE OBJECTIVE

- P4.2 Given hypothetical case situations involving worker compensation, equal opportunity, age discrimination, wage and hour laws, social security, and child labor laws, identify with 100% accuracy the federal and/or state law and the agency that would most effectively deal with the situation.

SELECTED ENABLING OBJECTIVES

- E4.2.1 Identify the major provisions of state and federal laws pertaining to employment.
- E4.2.2 Describe the role of the Equal Employment Opportunity Commission.
- E4.2.3 Identify the major provisions of wage and hour laws.
- E4.2.4 Identify situations which are governed by child labor laws.

CRITERION-REFERENCED MEASURE

- C4.2 Identification of applicable laws and agencies from case situations, 100% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students research and report on laws having to do with employment. The report should include the major provisions of (a) worker compensation laws; (b) Civil Rights Act of 1964, amended by the Equal Opportunities Act of 1972; (c) Equal Pay Act of 1963; (d) Age Discrimination Act of 1967; (e) Federal Fair Labor Standards Act of 1938 (wage and hour laws); (f) social security laws; (g) child labor laws; and (h) National Labor Relations Act of 1935 (E4.2.1, E4.2.3, E4.2.4).
2. Have students discuss the role of the Equal Employment Opportunity Commission (EEOC) in the protection of employees (E4.2.2).
3. Invite a speaker from the U.S. Department of Labor, the Virginia Employment Commission, or the EEOC to speak with students about laws and agencies protecting employees (E4.2.3).
4. Organize a debate on equal pay for women (E4.2.1).
5. Have students develop case situations dealing with the application of child labor laws (E4.2.4).
6. Develop a bulletin board display showing the various employment laws and indicating what is covered by these laws (E4.2.1-E4.2.4).

SELECTED TOOLS AND MATERIALS

Instructor-prepared case situations dealing with employment
Overhead projector

SELECTED AUDIOVISUAL MATERIALS

Transparency: How Does the Law Protect Employees? from Applied Business Law Manual.

SELECTED REFERENCES

Applied Business Law, 12th ed., pp. 365-384. Mietus, et al.
Child Labor Requirements in Nonagricultural Occupations. U.S. Department of Labor, Employment Standards Administration.
Understanding Business and Consumer Law, 6th ed., pp. 169-178. Rosenberg, et al.

CONTENT / CONCEPT

4. APPLYING LAW TO EMPLOYMENT

PROGRAM

BUSINESS EDUCATION

TASK / COMPETENCY

- 4.3 Identify the protections available to employees

COURSE

Business Law (6131)

 4.3

PERFORMANCE OBJECTIVE

- P4.3 Given four case situations, identify the protections available to employees in each situation by stating with 85% accuracy (a) the legislation enacted to provide the protection, (b) if the case would be covered under worker's compensation provisions or under common law, and (c) whether the employer generally has liability.

SELECTED ENABLING OBJECTIVES

- E4.3.1 Describe employment protections available to minors.
- E4.3.2 Describe the role of OSHA in the protection of employees.
- E4.3.3 Distinguish between common law and worker's compensation in the payment for damages due to injury.
- E4.3.4 List those instances in which the employer has liability and those in which the employer does not have liability in case of employee injury.
- E4.3.5 Explain provisions of work compensation laws, the Federal Fair Labor Standards Act, social security laws, unemployment insurance, and public assistance laws as to their roles in the protection of employees and their earnings.

CRITERION-REFERENCED MEASURE

- C4.3 Identification of the protections available to employees in four case situations, 85% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students discuss what a minor can do if he or she is in a dangerous job or is required to work more than the allowed hours* (E4.3.1).
2. Have students describe the role of the Occupational Safety and Health Administration (OSHA) in protecting employees* (E4.3.2).
3. Have students distinguish between common law and worker compensation* (E4.3.2).
4. Have students list those instances in which an employer is liable at common law for employee injuries* (E4.3.4).
5. Have students list those instances in which an employer is not liable at common law for employee injuries* (E4.3.4).
6. Have students discuss how worker compensation laws protect workers and the benefits provided* (E4.3.5).
7. Have students describe the provisions of the Federal Fair Labor Standards Act* (E4.3.5).
8. Have students research and report on the roles of social security laws, unemployment insurance, and public assistance to protect earnings of employees who become disabled or who lose their jobs (E4.3.5).
9. Prepare a bulletin board display showing the various types of protections available to employees (E4.3.1-E4.3.5).
10. Invite a speaker from a state or federal agency that monitors the employment of minors to speak about both the protections available to minors and the proper actions to take in case of employer violations of laws (E4.3.1).
11. Organize a panel consisting of a personnel administrator and a union representative to discuss protections available to employees, the pros and cons of legislation protecting employees, and the steps being taken by employer to protect their employees in the workplace (E4.3.1-E4.3.5).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Instructor-prepared case situations dealing with employee protections

SELECTED AUDIOVISUAL MATERIALS

None identified

SELECTED REFERENCES

- Applied Business Law, 12th ed., pp. 397-406. Mietus, et al.
Child Labor Requirements in Nonagricultural Occupations, U.S. Department of Labor,
 Employment Standards Administration.
Understanding Business and Consumer Law, 6th ed., pp. 169-176. Rosenberg, et al.

CONTENT / CONCEPT**5. APPLYING LAW TO FAMILY LIFE**

TASKS / COMPETENCIES

- 5.1 Describe the formalities and restrictions of marriage
- 5.2 Explain the consequences of divorce
- 5.3 Identify and explain legal aspects of buying a home
- 5.4 Describe the rights and responsibilities of lessors and tenants
- 5.5 List and explain the requirements of a will

CONTENT / CONCEPT

5. APPLYING LAW TO FAMILY
LIFE

TASK / COMPETENCY

- 5.1 Describe the formalities and
restrictions of marriage

PROGRAM

BUSINESS EDUCATION

COURSE

Business Law (6131)

5.1

PERFORMANCE OBJECTIVE

- P5.1 Given class discussions and other supporting activities, describe the formalities and restrictions of marriage by completing with 90% accuracy the identifications and explanations required on an instructor-prepared worksheet.

SELECTED ENABLING OBJECTIVES

- E5.1.1 Describe the types of agreements involved in engagement to be married and marriage.
- E5.1.2 List the requirements of the locality pertaining to the issuance of marriage licenses.
- E5.1.3 Explain what is meant by public policy in regards to marriage.
- E5.1.4 Describe requirements to be met prior to the marriage ceremony.
- E5.1.5 Identify and explain those types of marriages considered to be void.
- E5.1.6 List the six conditions that the state can impose on marriage.
- E5.1.7 Describe the laws relating to marriage and property rights.
- E5.1.8 Identify the duties and restrictions on parents in raising their children.

CRITERION-REFERENCED MEASURE

- C5.1 Instructor-prepared worksheet, 90% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students describe what is involved when a couple becomes engaged and married, emphasizing that this is a bilateral contract which contains all the elements of a legal contract, and that in the past, a person could be sued for breach of a marriage contract (E5.1.1).
2. Select a committee of students to interview the clerk who issues marriage licenses as to (a) forms to be filled out, (b) required age to marry, (c) any exceptions to age requirements, and (d) restrictions on the marriage of relatives. Have the committee secure representative forms to share with the class (E5.1.2).
3. Organize a debate concerning the pros and cons of the custom of treating males and females differently with respect to the age at which they may legally marry (E5.1.2).
4. Have students describe public policy in regard to marriage* (E5.1.3).
5. Have students describe requirements to be met prior to the marriage ceremony* (E5.1.4).
6. Have students list and describe marriages considered to be void* (E5.1.5).
7. Have students make a list of relatives to whom they are related by consanguinity and affinity (E5.1.5).
8. Prepare a bulletin board display on the six conditions that the state can impose upon marriage* (E5.1.6).
9. Have students research and write reports having to do with property rights and marriage (E5.1.7).
10. Have students list the duties that the law charges to parents in raising their children and to explain circumstances in which parents may lose the right to care for their children (E5.1.8).
11. Invite an attorney who specializes in domestic relations to talk to the class about the various legal aspects of marriage, including property rights, inheritance rights, and responsibilities of parents (E5.1.1-E5.1.8).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Instructor-prepared worksheet on the formalities and restrictions of marriage

SELECTED AUDIOVISUAL MATERIALS

None identified

SELECTED REFERENCES

Understanding Business and Consumer Law, 6th ed., pp. 207-213. Rosenberg, et al.
Family Law: Domestic Relations, pp. 1-56. Force and Baum.
So You're Getting Married. Brochure available from Virginia State Bar Association.

CONTENT / CONCEPT

5. APPLYING LAW TO FAMILY LIFE

PROGRAM

BUSINESS EDUCATION

TASK / COMPETENCY

- 5.2 Explain the consequences of divorce

COURSE

Business Law (6131)

5.2

PERFORMANCE OBJECTIVE

- P5.2 Given prior class discussion on the authority that can legally end a marriage, annulment, no-fault and fault divorce, alimony, grounds for divorce and annulment, the difference between domicile and residence, the definition of out-of-state divorce, and the decisions to be made in the event of divorce, explain the consequences of divorce by completing a written test with 85% accuracy.

SELECTED ENABLING OBJECTIVES

- E5.2.1 Describe the authority that has the jurisdiction to end a marriage legally.
- E5.2.2 Explain the differences between annulment and divorce.
- E5.2.3 List the common grounds that allow for an annulment.
- E5.2.4 List and describe the most common grounds for divorce.
- E5.2.5 Differentiate between a "no-fault" and a "fault" divorce.
- E5.2.6 Define domicile.
- E5.2.7 Define residence and compare residence requirements of various states.
- E5.2.8 Explain what is involved in an "out-of-state" divorce.
- E5.2.9 Define alimony and describe the legal issues involved.
- E5.2.10 Identify and describe the types of decisions that must be made in the event of a divorce.

CRITERION-REFERENCED MEASURE

- C5.2 Written test, 85% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students identify the authority having the power to end a marriage (only the courts of a state) (E5.2.1).
2. Lead a discussion on the difference between annulment and divorce* (E5.2.2).
3. Have students list the common frauds that allow for people to have the marriage annulled or set aside* (E5.2.3).
4. Have students explain the term, grounds for divorce, and list some of the most common* (E5.2.4).
5. Have students explain the differences between a "no-fault" and "fault" divorce or dissolution of marriage (E5.2.5).
6. Assign students various aspects of divorce on which to write short reports. The reports should include the legal questions involved and can also include the social and psychological problems that result from divorce (E5.2.1-E5.2.5).
7. Conduct a group discussion on what is meant by a domicile and a residence;* present various residence requirements from several states for students to compare (E5.2.6, E5.2.7).
8. Describe what is meant by an "out-of-state" divorce and have students discuss why it may be unwise to go to another state to obtain a divorce (E5.2.8).
9. Have students define and discuss alimony, temporary alimony, and alimony penente lite in terms of legal issues involved and the restrictions placed on the payment of alimony* (E5.2.9).
10. Have students research and report on decisions to be made in the event of a divorce* (E5.2.10).
11. Invite an attorney with expertise in this field to talk about the legal consequences of divorce and to answer questions about the rights of separated spouses, the rights of children of remarried parents, and other issues (E5.2.1-E5.2.10).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Instructor-prepared test on the consequences of divorce

SELECTED AUDIOVISUAL MATERIALS

None identified

SELECTED REFERENCES

Divorce and Separation in Virginia and Parents Are Forever. Brochures available from Virginia State Bar Association.
Family Law: Domestic Relations, pp. 83-115. Force and Baum.
Understanding Business and Consumer Law, 6th ed., pp. 255-265. Rosenberg, et al.

CONTENT / CONCEPT

5. APPLYING LAW TO FAMILY
LIFE

PROGRAM

BUSINESS EDUCATION

TASK / COMPETENCY

- 5.3 Identify and explain legal
aspects of buying a home

COURSE

Business Law (6131)

 5.3

PERFORMANCE OBJECTIVE

- P5.3 Given information on some of the decisions to be made when buying a home, the difference between real and personal property, the role of a mortgage in home purchase, the definition of title and how the title is passed, the rights and limitations concerning use of property, and alternatives to home ownership, identify and explain legal aspects of buying a home by completing a test with 85% accuracy.

SELECTED ENABLING OBJECTIVES

- E5.3.1 List some of the decisions to be made when buying a home.
- E5.3.2 List advantages and disadvantages of buying a home.
- E5.3.3 Distinguish between personal property and real property.
- E5.3.4 Identify legal aspects of buying a home.
- E5.3.5 Describe the role of a mortgage and how a mortgage is secured.
- E5.3.6 Define title and explain how title is passed.
- E5.3.7 Describe the rights and limitations of a person's use of real property.
- E5.3.8 Explain alternatives in home ownership to single-family dwellings.

CRITERION-REFERENCED MEASURE

- C5.3 Written test, 85% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have student list some of the decisions to make when buying a house* (E5.3.1, E5.3.2).
2. Have students distinguish between real property and personal property* (E5.3.3).
3. Discuss ways of acquiring real property--by gift, inheritance, purchase, adverse possession, etc. (E5.3.3).
4. Have students research and write a report on the legal aspects involved in buying a home* (E5.3.4).
5. Lead a class discussion on the role of the mortgage and the types of loans available* (E5.3.5).
6. Have students define what is meant by title and discuss how title (ownership) is passed* (E5.3.6).
7. Explain the rights of a person in the use of property and the limitations on the use of property as enacted by federal, state, and local laws* (E5.3.7).
8. Have students list and describe alternatives in home ownership to single-family dwellings, including cooperatives, condominiums, and mobile homes (E5.3.8).
9. Obtain zoning ordinances for local communities and have students, by means of a map, show restrictions for the various areas (E5.3.7).
10. Prepare role-playing situations in which students illustrate various aspects of home purchase* (E5.3.4).
11. Help students develop a detailed list of "do's" and "don'ts" when buying a home (E5.3.1-E5.3.8).
12. Invite an attorney or a real estate broker to discuss the legal aspects of buying a house (E5.3.1-E5.3.8).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Instructor-prepared test
 Sample loan application forms
 Local zoning ordinances
 Projector

SELECTED AUDIOVISUAL MATERIALS

Filmstrips: Personal Property Rights and Real Property, Basics of Business Law Series. Virginia Institute for Law and Citizenship Studies, Inc.

SELECTED REFERENCES

Understanding Business and Consumer Law, 6th ed., pp. 229-240. Rosenberg, et al.

CONTENT / CONCEPT

5. APPLYING LAW TO FAMILY LIFE

TASK / COMPETENCY

- 5.4 Describe the rights and responsibilities of lessors and tenants

PROGRAM

BUSINESS EDUCATION

COURSE

Business Law (6131)

5.4

PERFORMANCE OBJECTIVE

- P5.4 Given class discussion notes and access to other references, write a report which describes the rights and responsibilities of lessors and tenants. Report must include the types of tenancies created by leases, a description of lease and the rights and responsibilities of the parties to a lease, a comparison of the rights and responsibilities of tenants and lessors, and the alternatives of tenants and lessors when difficulties arise.

SELECTED ENABLING OBJECTIVES

- E5.4.1 Define lease and list the rights and responsibilities of the parties to a lease.
- E5.4.2 Describe the types of tenancies created by leases.
- E5.4.3 Compare the rights and responsibilities of a tenant to those of a lessor.
- E5.4.4 Compare actions tenants and lessors can take when difficulties arise or disagreements occur.

CRITERION-REFERENCED MEASURE

- C5.4 Written report, to include:
- (a) the types of tenancies created by leases
 - (b) description of a lease and the rights and responsibilities of the parties to a lease
 - (c) comparison of the rights and responsibilities of tenants and lessors
 - (d) alternatives available to tenants and lessors when difficulties arise

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students describe the types of tenancies created by leases* (E5.4.2).
2. Have students list the rights and duties of a tenant* (E5.4.3).
3. Have students list the rights and duties of a lessor* (E5.4.3).
4. Obtain a copy of a standard lease and help students analyze it for the features included and the rights and responsibilities of the parties to the lease (E5.4.1).
5. Have students list and describe what tenants can do when difficulties arise concerning the property or when disagreements between lessor and tenant occur and the possible results of these actions* (E5.4.4).
6. Have students describe the actions a lessor can take when tenants do not abide by agreements, including ending the lease, evicting the tenants, or taking court action (E5.4.4).
7. Supervise student development of a list of suggestions for avoiding legal risks in renting situations (E5.4.1-E5.4.4).
8. Develop role-play situations that arise between tenants and lessors; cases can be found in the Street Law textbook (E5.4.1-E5.4.4).
9. Divide students into two groups, one to represent the lessor's point of view and one to support the tenant's point of view. Present case situations in which the two groups debate how to handle problems * (E5.4.3, E5.4.4).
10. Invite a local realtor to discuss the rental market in the local area and to discuss the pros and cons of renting (E5.4.1-E5.4.4).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Copies of a standard lease

Instructor-prepared case situations for debate

SELECTED AUDIOVISUAL MATERIALS

None identified

SELECTED REFERENCES

Applied Business Law, 12th ed., pp. 628-634. Mietus, et al.

Street Law, pp. 236-257. Arbetman, et al.

Understanding Business and Consumer Law, 6th ed., pp. 216-226. Rosenberg, et al.

CONTENT / CONCEPT

5. APPLYING LAW TO FAMILY LIFE

TASK / COMPETENCY

- 5.5 List and explain the requirements of a will

PROGRAM

BUSINESS EDUCATION

COURSE

Business Law (6131)

5.5

PERFORMANCE OBJECTIVE

- P5.5 Given multiple choice and essay questions on the purpose of wills; the basic elements of a valid will; procedures for probating a will in Virginia; terms related to wills; procedures for changing, adding to, or revoking a will; and what happens under state law when a person dies without a will, list and explain the requirements of a will by completing the questions with 85% accuracy.

SELECTED ENABLING OBJECTIVES

- E5.5.1 Identify the purpose of a will.
- E5.5.2 Describe the basic elements of a valid will.
- E5.5.3 Explain procedures for carrying out the provisions of will in the state of Virginia.
- E5.5.4 Define terms related to wills.
- E5.5.5 Explain how wills are changed, added to, and revoked.
- E5.5.6 Describe what happens under Virginia law when a person dies without a will.

CRITERION-REFERENCED MEASURE

- C5.5 Written test, 85% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students identify the purposes of a will as a document drawn up and signed by a person during their lifetime, providing for distribution of wealth after the individual's death (E5.5.1).
2. Obtain from a trust company, the trust department of bank, or an attorney the form used for preparing a will and the state statutes governing wills (E5.5.2).
3. Have students describe the basic elements of a valid will* (E5.5.2).
4. Have students research and report on procedures for carrying out the provisions of a will in the state of Virginia (E5.5.3).
5. Have students define the following terms: decedent, heirs, testator, testatrix, executor, executrix, codicil, probating a will, administrator, adminitratrix, intestate (E5.5.4).
6. Have students describe how wills are changed, added to, or revoked* (E5.5.5).
7. Have students research and describe what happens under Virginia law when a person dies without making a will. The report should include how property is distributed to the spouse, children, or in the case of no immediate family, how heirs are determined (E5.5.6).
8. Help students develop a list of suggestions for reducing legal problems in connection with wills (E5.5.1-E5.5.6).
9. Invite an attorney who specializes in the drawing up and probating of wills to speak with students about how a will is prepared, rights of children under state law, and other issues of interest to student.

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Instructor-prepared test
Overhead projector

SELECTED AUDIOVISUAL MATERIALS

Transparencies: Sample wills (instructor-provided)

SELECTED REFERENCES

Applied Business Law, pp. 606-618. Mietus, et al.
Understanding Business and Consumer Law, pp. 481-491. Rosenberg, et al.

CONTENT / CONCEPT**6. MAKING WISE CONSUMER CHOICES**

TASKS / COMPETENCIES

- 6.1 Analyze consumer law and its effects on consumers
- 6.2 Describe the law of contracts as it applies to sales
- 6.3 Illustrate the form of a sales contract
- 6.4 Explain the importance of warranties in buying products
- 6.5 Identify and describe the types of bailments
- 6.6 Identify the rights and remedies for breach of a sales contract

CONTENT / CONCEPT

6. MAKING WISE CONSUMER CHOICES

PROGRAM

BUSINESS EDUCATION

TASK / COMPETENCY

- 6.1 Analyze consumer law and its effects on consumers

COURSE

Business Law (6131)

6.1

PERFORMANCE OBJECTIVE

- P6.1 Given class discussion notes and necessary references, analyze consumer law and its effects on consumers in a written report. Report must include (a) reasons consumer protection laws are necessary, (b) description of the major deceptive practices, (c) identification of consumer protection laws, (d) list of suggestions for being a good consumer, and (e) identification of private and governmental agencies that aid consumers.

SELECTED ENABLING OBJECTIVES

- E6.1.1 Give reasons why consumer protection laws are necessary.
- E6.1.2 Define and describe unfair and deceptive practice.
- E6.1.3 List and describe laws passed for the protection of consumers.
- E6.1.4 Illustrate ways to be a smart consumer.
- E6.1.5 Identify and describe governmental and private agencies that aid consumers.

CRITERION-REFERENCED MEASURE

- C6.1 Written report to include:
- (a) Reasons consumer protection laws are necessary
 - (b) Description of the major deceptive practices
 - (c) Explanation of consumer protection laws
 - (d) List of suggestions for being a good consumer
 - (e) Identification of private and governmental consumer agencies

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students research and report on why consumer protection laws are necessary (E6.1.1).
2. Have students define and describe unfair and deceptive practices such as deceptive pricing, bait and switch, and misrepresentation* (E6.1.2).
3. Conduct a class discussion on laws passed for consumer protection such as the Truth in Lending Act, the Magnuson-Moss Warranty Act, the Consumer Product Safety Act, and the Food, Drug, and Cosmetic Act (E6.1.3).
4. Have students develop case situations in which they role play the differences between gullible and smart consumers (E6.1.4).
5. Have a representative from the Better Business Bureau speak to the class about consumer protection (E6.1.5).
6. Have students identify government agencies that provide protection to consumers* (E6.1.5).
7. Have students collect newspaper advertisements they think might be misleading to consumers and analyze reasons for their choices (E6.1.4).
8. Have students identify those private agencies that provide information to consumers* (E6.1.5).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

None identified

SELECTED AUDIOVISUAL MATERIALS

None identified

SELECTED REFERENCES

Street Law, pp. 103-115. Arbetman, et al.

Understanding Business and Consumer Law, 6th ed., pp. 308-318. Rosenberg, et al.

CONTENT/CONCEPT

6. MAKING WISE CONSUMER CHOICES

PROGRAM

BUSINESS EDUCATION

TASK/COMPETENCY

- 6.2 Describe the law of contracts as it applies to sales

COURSE

Business Law (6131)

6.2

PERFORMANCE OBJECTIVE

- P6.2 Given multiple choice and essay questions and case situations covering the purpose of the U.C.C. code; reasons laws for sales are necessary; legal terms dealing with sales; the differences among contracts to sell, contracts for sale, and contracts for labor and materials; passage of title; and bulk sales, describe the law of contracts as it applies to sales by completing the test with 85% accuracy.

SELECTED ENABLING OBJECTIVES

- E6.2.1 Describe the role of the Uniform Commercial Code.
- E6.2.2 Explain why specific laws for sales are necessary and what is considered as subject matter for a sale.
- E6.2.3 Define legal terms relating to sales.
- E6.2.4 Differentiate among (a) a contract to sell, (b) a contract for sale, and (c) a contract for labor and materials.
- E6.2.5 Analyze case situations having to do with the passage of title.
- E6.2.6 Describe bulk sales and explain how creditors are protected when this type of sale takes place.
- E6.2.7 Describe a person's responsibility when he or she is the recipient of unordered goods.

CRITERION-REFERENCED MEASURE

- C6.2 Written test, 85% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students describe the Uniform Commercial Code, including its purpose, application, and its evolution from the law merchant (E6.2.1).
2. Have students explain why specific laws for sales are necessary and what is considered valid subject matter for a sale* (E6.2.2).
3. Have students define the following terms (E6.2.3):

<u>sale</u>	<u>bailment</u>	<u>warehouse receipt</u>
<u>auction sale</u>	<u>bill of sale</u>	<u>negotiable, nonnegotiable</u>
<u>title</u>	<u>FOB shipping point</u>	<u>warehouse receipt</u>
<u>intangible right</u>	<u>FOB destination</u>	<u>future goods</u>
<u>conditional sale</u>	<u>bulk sale</u>	<u>contract to sell</u>
<u>contract for sale</u>	<u>order bill of lading</u>	<u>tender of delivery</u>
<u>chattel mortgage</u>	<u>straight bill of lading</u>	<u>identified goods</u>
4. Have students explain the differences among a contract to sell, a contract for sale, and a contract for labor and materials* (E6.2.4).
5. Have students analyze case situations concerning the passage of title* (E6.2.5).
6. Have students describe a bulk sale and explain how creditors of a business are protected when a bulk sale takes place* (E6.2.6).
7. Explain the steps to be taken when goods arrive unordered; emphasize that the person receiving the goods may consider them to be a gift (E6.2.7).
8. Have a representative from the Better Business Bureau or from another type of consumer agency discuss sales contracts (E6.2.1-E6.2.6).
9. Help students develop and participate in role-play situations involving the different types of sales contracts and some of the problems that might arise (E6.2.1-E6.2.6).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Instructor-prepared written test
Overhead projector
Filmstrip projector

SELECTED AUDIOVISUAL MATERIALS

Transparency: Bill of sale (instructor-provided)
Filmstrip: Basics of Business Law: Sales. Virginia Institute for Law and Citizenship Studies, Inc.

SELECTED REFERENCES

Applied Business Law, 12th ed., pp. 273-304. Mietus, et al.
Understanding Business and Consumer Law, 6th ed., pp. 271-283. Rosenberg, et al.

CONTENT / CONCEPT

6. MAKING WISE CONSUMER CHOICES

PROGRAM

BUSINESS EDUCATION

TASK / COMPETENCY

- 6.3 Illustrate the form of a sales contract

COURSE

Business Law (6131)

 6.3

PERFORMANCE OBJECTIVE

- P6.3 Given instructor-prepared worksheet and access to resources, illustrate the form of a sales contract by developing a sales agreement and a list of rules for avoiding legal problems in making sales contracts. Worksheet must be completed with 90% accuracy.

SELECTED ENABLING OBJECTIVES

- E6.3.1 Identify those sales contracts which must be in writing in order to be enforced by the courts.
- E6.3.2 Describe what a written sales contract must contain under the Statute of Frauds.
- E6.3.3 List other types of evidence that may be used to prove the existence of a sales contract.
- E6.3.4 Explain the parol evidence rule in reference to legal proceedings disputing written sales agreements.
- E6.3.5 Prepare a list of suggestions for avoiding legal problems when making sales contracts.
- E6.3.6 Complete a sales contract.

CRITERION-REFERENCED MEASURE

- C6.3 Instructor-prepared worksheet, 90% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students describe those sales contracts that must be in writing to be enforced by the courts* (E6.3.1).
2. Have students describe what a written sales contract must contain under the Statute of Frauds* (E6.3.2).
3. Have students list and explain other types of evidence that may be used to prove the existence of a sales contract that was not in writing* (E6.3.3).
4. Have students discuss the parol evidence rule in the case of disputes as to what is meant in a written sales agreement* (E6.3.4).
5. Help students develop a list of suggestions for preventing legal difficulties in making sales contracts (E6.3.5).
6. Obtain sample sales contracts and have student fill them out in class. Lead a discussion on whether these contracts would be valid agreements and what was being agreed to in the contracts (E6.3.6).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Instructor-prepared worksheet
Sample sales contracts
Overhead projector

SELECTED AUDIOVISUAL MATERIALS

Transparency: Sales contract (instructor-provided)

SELECTED REFERENCES

Applied Business Law, 12th ed., pp. 273-280. Mietus, et al.
Understanding Business and Consumer Law, 6th ed., pp. 276-283. Rosenberg, et al.

CONTENT / CONCEPT

6. MAKING WISE CONSUMER CHOICES

TASK / COMPETENCY

- 6.4 Explain the importance of warranties in buying products

PROGRAM

BUSINESS EDUCATION

COURSE

Business Law (6131)

 6.4

PERFORMANCE OBJECTIVE

- P6.4 Given class discussion and research on the difference between implied and express contracts, the ways an express warranty comes about, provision of the federal laws enacted concerning warranties (with emphasis on implied warranties), how warranties can be excluded, and what is meant by product liability, explain the importance of warranties in buying products by completing a written test with 85% accuracy.

SELECTED ENABLING OBJECTIVES

- E6.4.1 Distinguish between an express warranty and an implied warranty.
- E6.4.2 Describe the way an express warranty comes about.
- E6.4.3 Describe the provisions of the Magnuson-Moss Warranty Act and the Federal Trade Commissions Improvement Act.
- E6.4.4 Illustrate through case situations the laws involved in implied warranties.
- E6.4.5 Describe cases in which warranties may be excluded.
- E6.4.6 Explain what is meant by product liability.

CRITERION-REFERENCED MEASURE

- C6.4 Written test, 85% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students explain the difference between an express warranty and an implied warranty* (E6.4.1).
2. Have students describe the three ways an express warranty comes about* and discuss the difference between a full warranty and a limited warranty (E6.4.2).
3. Have students research and write a report on the Magnuson-Moss Warranty Act and the Federal Trade Commission Improvement Act* (E6.4.3).
4. Have students develop case situations that illustrate the following and describe the laws involved (E6.4.4):
 - (a) Exaggerations or "puffery" by the seller
 - (b) Cases in which the buyer relies on the seller's skill and judgment in selecting goods for a specific purpose
 - (c) Cases in which the merchant sells goods that do not meet standards of merchantability
 - (d) Cases in which the seller sells property to which he or she does not have title.
5. Have students list and describe how and when warranties may be excluded* (E6.4.5).
6. Have students define product liability and give examples of situations in which liability would exist (E6.4.6).
7. Have students analyze some of the descriptive terms used by newspapers, magazines, and television ads and decide whether the statements are warranties (E6.4.1-E6.4.4).
8. Have students bring in product warranties and analyze them as to what is being guaranteed (E6.4.1-E6.4.3).
9. Have students role play situations that illustrate puffery, express warranties, implied warranties, and why written warranties are needed in some cases (E6.4.1-E6.4.4).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Instructor-prepared test
Filmstrip projector

SELECTED AUDIOVISUAL MATERIALS

Filmstrip: Basics of Business Law: Warranties. Virginia Institute for Law and Citizenship Studies, Inc.

SELECTED REFERENCES

Applied Business Law, 12th ed., pp. 309-320. Mietus, et al.
Understanding Business and Consumer Law, 6th ed., pp. 298-305. Rosenberg, et al.

CONTENT/CONCEPT

6. MAKING WISE CONSUMER CHOICES

TASK/COMPETENCY

- 6.5 Identify and describe the types of bailments

PROGRAM

BUSINESS EDUCATION

COURSE

Business Law (6131)

6.5

PERFORMANCE OBJECTIVE

- P6.5 Given class discussion and other supporting activities, identify and describe the types of bailments by completing with 90% accuracy the identifications and explanations required on an instructor-prepared worksheet.

SELECTED ENABLING OBJECTIVES

- E6.5.1 Define and give the characteristics of a bailment.
- E6.5.2 Define terms pertaining to bailments.
- E6.5.3 Explain how bailments are created.
- E6.5.4 Identify the rights and responsibilities of the parties to a bailment.
- E6.5.5 Describe how bailments are terminated.
- E6.5.6 Identify and describe remedies for breach of bailment.

CRITERION-REFERENCED MEASURE

- C6.5 Instructor-prepared worksheet, 90% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students define bailment and describe the characteristics* (E6.5.1).
2. Have students define the following terms (E6.5.2):

<u>bailee</u>	<u>reasonable care</u>
<u>bailor</u>	<u>pledge or pawn</u>
<u>mutual benefit bailment</u>	<u>bailment by necessity</u>
<u>gratuitous bailment</u>	<u>involuntary bailee</u>
3. Discuss how bailments are created* (E6.5.3).
4. Have students describe and explain the rights and responsibilities of the parties to a bailment* (E6.5.4).
5. Have students list and describe the most common types of bailments, including bailments for (a) storage, (b) hire, (c) services, and (d) sale (E6.5.5).
6. Have students list and explain how bailments are terminated* (E6.5.6).
7. Have students identify remedies for breach of bailment relationship: the injured party can sue to have goods returned or sue for damages (E6.5.7).
8. Prepare a bulletin board display of various types of written bailment agreements; for example, pawn tickets, rental agreements, and public library cards (E6.5.1).
9. Help students develop role plays involving the various types of bailment agreements (E6.5.3-E6.5.5).
10. Have students recount personal experiences with bailments, including what occurred and remedies for any injuries or damage done (E6.5.1-E6.5.7).
11. Develop role plays illustrating the different types of mutual benefit bailments and the rights and responsibilities of the parties (E6.5.1-E6.5.5).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Instructor-prepared worksheet
Overhead projector

SELECTED AUDIOVISUAL MATERIALS

Transparency master: What Is a Bailment? from Applied Business Law Manual.

SELECTED REFERENCES

Applied Business Law, 12th ed. Mietus, et al.
Understanding Business and Consumer Law, 6th ed. Rosenberg, et al.

CONTENT / CONCEPT

6. MAKING WISE CONSUMER CHOICES

TASK / COMPETENCY

- 6.6 Identify the rights and remedies for breach of a sales contract

PROGRAM

BUSINESS EDUCATION

COURSE

Business Law (6131)

6.6

PERFORMANCE OBJECTIVE

- P6.6 Given class discussions and other supporting activities, identify the rights and remedies for breach of a sales contract by listing with 90% accuracy the rights of buyers and sellers in a sales contract and the remedies open to both buyers and sellers in case of breach of contract.

SELECTED ENABLING OBJECTIVES

- E6.6.1 List the rights of buyers and sellers in a sales contract.
- E6.6.2 Describe a seller's remedies for breach of a sales contract.
- E6.6.3 Describe remedies open to the buyer in the case of breach of a sales contract.

CRITERION-REFERENCED MEASURE

- C6.6 Lists of the rights of buyers and sellers in a sales contract and remedies open to both buyers and sellers in case of breach of contract, 90% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students list the rights of sellers and buyers in a sales contract; for example, sellers have the right to receive payment for goods, and buyers have the right to goods that meet standards of merchantability (E6.6.1).
2. Have students list and describe a seller's remedies for breach of a sales contract. List should include the following (E6.6.2):
 - (a) Withhold delivery of goods
 - (b) Stop delivery of goods in transit
 - (c) Resell goods that were rightfully withheld and sue buyer for the difference
 - (d) Sue the buyer for the difference between the agreed price and the resale price plus expenses
 - (e) Sue buyer for goods accepted by buyer
 - (f) Cancel the contract.
3. Have students list and describe the buyer's remedies for breach of a sales contract. List should include the following (E6.6.3):
 - (a) Cancel the contract
 - (b) Sue seller for return of money
 - (c) Sue the seller for the difference between agreed price and market price
 - (d) Reject goods if they do not conform to contract
 - (e) Buy needed goods from another source and sue the seller for the difference in agreed price and market price
 - (f) Revoke acceptance
 - (g) Notify seller of acceptance, inform seller that the goods do not conform to contract, and sue for breach of warranty if no adjustment is made.

SELECTED TOOLS AND MATERIALS

None identified

SELECTED AUDIOVISUAL MATERIALS

None identified

SELECTED REFERENCES

Applied Business Law, 12th ed., pp. 256-265. Mietus, et al.
Understanding Business and Consumer Law, 6th ed., pp. 299-281. Rosenberg, et al.

CONTENT / CONCEPT**7. USING PURCHASING POWER**

TASKS / COMPETENCIES

- 7.1 Identify and describe the types of negotiable instruments
- 7.2 Describe the laws related to buying on credit
- 7.3 Explain how negotiable instruments are transferred
- 7.4 Identify factors to consider when borrowing money
- 7.5 Describe the laws that apply to the collection of negotiable instruments

CONTENT / CONCEPT

7. USING PURCHASING POWER

PROGRAM

BUSINESS EDUCATION

TASK / COMPETENCY

7.1 Identify and describe the types of negotiable instruments

COURSE

Business Law (6131)

7.1

PERFORMANCE OBJECTIVE

P7.1 Given samples of the four types of negotiable instruments, identify and describe each. Identifications must be 100% accurate, and descriptions must include explanation of the parties to each instrument; the ways each can be discharged; the requirements under U.C.C. for negotiable instruments; and five ways to avoid legal difficulties in the handling of negotiable instruments.

SELECTED ENABLING OBJECTIVES

- E7.1.1 Describe the four basic kinds of negotiable instruments.
- E7.1.2 List and explain the three parties to a draft and the two parties to a note.
- E7.1.3 Define terms related to negotiable instruments.
- E7.1.4 Describe requirements for negotiable instruments under the Uniform Commercial Code.
- E7.1.5 List and describe three ways negotiable instruments can be discharged.
- E7.1.6 List suggestions for avoiding legal difficulties when handling negotiable instruments.

CRITERION-REFERENCED MEASURE

- C7.1 Identifications of the four types of negotiable instruments, 100% accuracy; descriptions to include:
- (a) Explanation of the parties to each instrument
 - (b) Ways each can be discharged
 - (c) Requirements under U.C.C.
 - (d) Five ways to avoid legal difficulties in the handling of negotiable instruments

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students list and describe the basic four kinds of negotiable instruments covered in the U.C.C., including drafts (bills of exchange), checks, certificates of deposit, and promissory notes. Explain that negotiable instruments are the same as commercial paper (E7.1.1).
2. Have students list the three parties to a draft (the drawer, the drawee, and the payee) and the two parties to a note (the maker and the payee) (E7.1.2).
3. Have students define the following terms (E7.1.3):

<u>draft</u>	<u>postdating</u>	<u>words of negotiability</u>
<u>commercial paper</u>	<u>sight draft</u>	<u>promissory note</u>
<u>drawer</u>	<u>time draft</u>	<u>certificiate of deposit</u>
<u>drawee</u>	<u>trade acceptances</u>	<u>comaker</u>
<u>acceptor</u>		<u>maker</u>
4. Explain the requirements for a written document to be negotiable* (E7.1.4).
5. Prepare a bulletin board display of samples of written instruments that may or may not be negotiable instruments (e.g., checks, drafts, forms for promissory notes, traveler's checks) and listing the essentials of a negotiable instrument (E7.1.1-E7.1.5).
6. Have students list and explain the three ways commercial paper can be discharged: by payment, by cancellation, or by alteration (E7.1.5).
7. Have students develop suggestions for preventing legal difficulties when handling negotiable instruments (E7.1.6).
8. Help students develop and conduct role plays in which negotiable instruments are created and discharged (E7.1.1-E7.1.5).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Overhead projector

SELECTED AUDIOVISUAL MATERIALS

Transparency masters: What Are the Requirements of Commercial Paper? from Applied Business Law Manual.

Parts and Parties--Checks and Drafts from Applied Business Law.

SELECTED REFERENCES

Applied Business Law, 12th ed., pp. 503-517. Mietus, et al.

Understanding Business and Consumer Law, 6th ed., pp. 373-380. Rosenberg, et al.

CONTENT/CONCEPT

7. USING PURCHASING POWER

PROGRAM

BUSINESS EDUCATION

TASK/COMPETENCY

7.2 Describe the laws related to buying on credit

COURSE

Business Law (6131)

7.2

PERFORMANCE OBJECTIVE

P7.2 Given class discussions and research activities, write a report that describes the laws related to buying on credit. Report must be written according to guidelines presented in class and must include a definition of credit; the legal terms involved with credit; the role of credit cards; and the provisions of the Truth in Lending Law, the Equal Credit Opportunity Act, Regulation B, the Fair Credit Reporting Act, the U.C.C. code dealing with secured loans, the Fair Debt Collection Practices Act, and the Fair Credit Billing Act.

SELECTED ENABLING OBJECTIVES

- E7.2.1 Define credit.
- E7.2.2 Define legal terms having to do with credit.
- E7.2.3 Describe provisions of the Truth in Lending Law.
- E7.2.4 Describe the role of credit cards and what happens when credit cards are lost or stolen.
- E7.2.5 Explain the provisions of the Equal Credit Opportunity Act, Regulation B, and the Fair Credit Reporting Act.
- E7.2.6 Explain the provisions of the Uniform Commercial Code having to do with secured loans.
- E7.2.7 Describe the provisions of the Fair Debt Collection Practices Act and the Fair Credit Billing Act.

CRITERION-REFERENCED MEASURE

- C7.2 Written report according to guidelines provided, to include:
- (a) definition of credit
 - (b) legal terms involved with credit
 - (c) role of credit cards
 - (d) provisions of Truth in Lending Law, Fair Credit Opportunity Act, Regulation B, Fair Credit Reporting Act, the U.C.C. code dealing with secured loans, Fair Debt Collection Practices Act, and the Fair Credit Billing Act

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students define credit* (E7.2.1).
2. Have students define terms related to credit (E7.2.2):

<u>creditor</u>	<u>closed-end credit</u>	<u>chattel mortgage</u>
<u>debtor</u>	<u>usury</u>	<u>bailment lease</u>
<u>credit card</u>	<u>secured loan</u>	
<u>open-end credit</u>	<u>conditional sales contract</u>	
3. Have students research and report on the provisions of the Truth in Lending Law* (E7.2.3).
4. Conduct discussion on credit cards and what happens when credit cards are lost or stolen* (E7.2.4).
5. Have students research and report on the provisions of Equal Credit Opportunity Act and Regulation B as issued by the Board of Governors of the Federal Reserve Board* (E7.2.5).
6. Have students research and report on the Fair Credit Reporting Act* (E7.2.5).
7. Have students describe the provisions of the Uniform Commercial Code that related to secured loans* (E7.2.6).
8. Have students research and report on the Fair Debt Collection Practices Act* (E7.2.7).
9. Prepare a bulletin board display on the various laws protecting consumers (E7.2.3, E7.2.5-E7.2.7).
10. Have students analyze case situations involving credit problems, applying the laws that would come to bear on the situations (E7.2.1-E7.2.7).
11. Ask a representative from a local consumer agency or credit bureau to talk to students about how the credit laws protect them (E7.2.1-E7.2.7).
12. Have students describe the provisions of the Fair Credit Billing Act* (E7.2.7).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Instructor-prepared case situations involving credit problems
Film projector

SELECTED AUDIOVISUAL MATERIALS

Film: The Money Tree. Audiovisual Services, Virginia Department of Education.

SELECTED REFERENCES

Applied Business Law, 6th ed., pp. 323-340. Mietus, et al.
Consumer Law, pp. 95-108. Force and Baum.
Understanding Business and Consumer Law, 12th ed., pp. 351-361. Rosenberg, et al.

CONTENT / CONCEPT

7. USING PURCHASING POWER

PROGRAM

BUSINESS EDUCATION

TASK / COMPETENCY

7.3 Explain how negotiable instruments are transferred

COURSE

Business Law (6131)

7.3

PERFORMANCE OBJECTIVE

P7.3 Given class discussions and other resources, explain how negotiable instruments are transferred by completing with 90% accuracy the identifications and explanations required on an instructor-prepared worksheet.

SELECTED ENABLING OBJECTIVES

- E7.3.1 Describe what is meant by commercial paper.
- E7.3.2 Define terms relating to the transfer of negotiable instruments, including holder, issued, negotiated, bearer instrument, and order instrument.
- E7.3.3 Describe the differences between the negotiation of bearer instruments and order instruments.
- E7.3.4 Explain the term endorsement and list the kinds of endorsements.
- E7.3.5 Describe implied warranties made by the persons who endorse negotiable instruments.
- E7.3.6 Explain the liability of the primary parties to an instrument as opposed to that of secondary parties.
- E7.3.7 List strategies for preventing legal difficulties when transferring negotiable instruments.

CRITERION-REFERENCED MEASURE

C7.3 Instructor-prepared worksheet, 90% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Lead class discussion on what is meant by commercial paper* (E7.3.1).
2. Have students define terms relating to the transfer of negotiable instruments (E7.3.2).
3. Have students describe the differences between the negotiation of bearer instruments and order instruments* (E7.3.3).
4. Have students explain the purpose of an endorsement,* and the types of endorsements most commonly used (E7.3.4).
5. Prepare a bulletin board display depicting the different types of endorsements (E7.3.4).
6. Have students describe the implied warranties made by persons who endorse negotiable instruments* (E7.3.5).
7. Have students role play situations in which they make out checks to each other, then endorse the checks, using the various endorsements. Contrast situations in which checks are endorsed in blank and endorsed in full, then lost (E7.3.4).
8. Discuss the liability of primary parties to an instrument as contrasted to the liability of secondary parties* (E7.3.6).
9. Have students develop a list of points for preventing legal difficulties when negotiating commercial paper (E7.3.7).
10. Invite a representative from a bank to discuss with students the importance of proper endorsement and how to avoid losses (E7.3.1-E7.3.7).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Instructor-prepared worksheet
Overhead projector

SELECTED AUDIOVISUAL MATERIALS

Transparency masters: What Are the Requirements of Commercial Paper? and Parts and Parties--Checks and Drafts from Applied Business Law Manual.

Liabilities of the Parties to Commercial Paper from Understanding Business and Consumer Law Teacher's Manual.

SELECTED REFERENCES

Applied Business Law, 12th ed., pp. 537-546. Mietus, et al.
Understanding Business and Consumer Law, 6th ed., pp. 392-399. Rosenberg, et al.

CONTENT/CONCEPT

7. USING PURCHASING POWER

PROGRAM

BUSINESS EDUCATION

TASK/COMPETENCY7.4 Identify factors to consider
when borrowing money**COURSE**

Business Law (6131)

7.4

PERFORMANCE OBJECTIVE

P7.4 Given various learning exercises related to the reasons for borrowing money, the difference between secured and unsecured loans, credit characteristics of the potential borrower, provisions of a small loan contract, and applicable laws, identify factors to consider when borrowing money by completing a written test with 85% accuracy.

SELECTED ENABLING OBJECTIVES

- E7.4.1 Identify or explain reasons why people borrow money.
- E7.4.2 Explain where people go to borrow money.
- E7.4.3 Describe the differences between secured and unsecured loans.
- E7.4.4 List credit characteristics which determine whether loans will be made.
- E7.4.5 List the provisions of a small loan contract.
- E7.4.6 Identify laws that relate to the borrowing of money.

CRITERION-REFERENCED MEASURE

C7.4 Written test, 85% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students explain some reasons why people borrow money (E7.4.1).
2. Have students list and describe the institutions where people generally go to borrow money, including commercial banks, industrial banks, small loan or finance companies, credit unions, and pawnbrokers (E7.4.2).
3. Have students discuss the difference between a secured and an unsecured loan* (E7.4.3).
4. Have students list the characteristics that determine whether loans are made, including good risk, regularity of income, competency to contract, and length of employment (E7.4.4).
5. Prepare credit reports on hypothetical persons with age, income, credit history, etc., stated and have students decide if these persons would be good candidates for loans (E7.4.4).
6. Have students outline the usual provisions of small loan contracts, e.g., usually repaid in monthly installments, and interest is charged generally by the year (E7.4.5).
7. Obtain sample loan applications forms from the various lending institutions and discuss how interest is calculated and legal agreements entered into (E7.4.5).
8. List and have student describe laws that relate to the borrowing of money, such as the Fair Credit Reporting Act and Equal credit Opportunity Act (E7.4.6).
9. Have students role play credit interviews, depicting the types of questions that are asked and the questions that under law cannot be asked (E7.4.1-E7.4.6).
10. Invite a representative from a small finance company or a bank to talk about the advantages and pitfalls of borrowing money (E7.4.1-E7.4.7).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Instructor-prepared written test
 Sample loan contracts
 Sample loan applications
 Overhead projector

SELECTED AUDIOVISUAL MATERIALS

Transparency master: True Rate of Interest Amount from Understanding Business and Consumer Law Teacher's Manual.

SELECTED REFERENCES

Consumer Law, pp. 79-89. Force and Baum.
Understanding Business and Consumer Law, 6th ed., pp. 364-370. Rosenberg, et al.

Application

CONTENT / CONCEPT

7. USING PURCHASING POWER

PROGRAM

BUSINESS EDUCATION

TASK / COMPETENCY

7.5 Describe the laws that apply to the collection of negotiable instruments

COURSE

Business Law (6131)

7.5

PERFORMANCE OBJECTIVE

P7.5 Given discussions and other class activities on the definition and characteristics of a holder in due course, the rights of a holder of commercial paper, the personal and real defenses to a negotiable instrument, the Federal Trade Commission ruling on consumer credit contracts, and the difference between primary and secondary liability to pay on a negotiable instrument, describe the laws that apply to the collection of negotiable instruments by completing a written test with 85% accuracy.

SELECTED ENABLING OBJECTIVES

- E7.5.1 Define the term, holder in due course.
- E7.5.2 Describe the rights of a holder of commercial paper.
- E7.5.3 List conditions under which a person may be a holder in due course.
- E7.5.4 Describe what occurs when title to an instrument is received through a holder in due course.
- E7.5.5 Differentiate between personal and real defenses to negotiable instruments.
- E7.5.6 Describe the Federal Trade Commission ruling on consumer credit contracts.
- E7.5.7 Differentiate between those who have primary liability and those who have secondary liability to pay on a negotiable instrument.

CRITERION-REFERENCED MEASURE

C7.5 Written test, 85% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students define what is meant by a holder in due course* (E7.5.1).
2. Have students describe the rights of a holder of commercial paper* (E7.5.2).
3. List conditions under which a person may be a holder in due course* (E7.5.3).
4. Have students discuss what happens when a person receives title to an instrument through a holder in due course: the person receives the same rights as the holder in due course (E7.5.4).
5. Have students describe what is meant by personal and real defenses to negotiable instruments* (E7.5.5).
6. Have students develop case situations that illustrate the conditions under which a person may or may not be a holder in due course, as well as personal and real defenses brought to avoid honoring an instrument (E7.5.1-E7.5.5).
7. Prepare a bulletin board display illustrating the types of negotiable instruments, the essential requirements for a holder in due course, and defenses that may be raised (E7.5.1-E7.5.5).
8. Have students research and report on the Federal Trade Commission ruling (1976) having to do with consumer credit contracts* (E7.5.7).
9. Have students describe the parties that have primary liability to pay on an instrument and those who have secondary liability* (E7.5.7).
10. Invite a representative to talk with students concerning collecting on negotiable instruments and have him or her list ways to protect oneself in the roles of holder in due course, transferee, payee, etc. (E7.5.1-E7.5.7).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Instructor-prepared written test on collection of negotiable instruments

SELECTED AUDIOVISUAL MATERIALS

None identified

SELECTED REFERENCES

Applied Business Law, 12th ed., pp. 550-561. Mietus, et al.
Understanding Business and Consumer Law, 6th ed., pp. 402-411. Rosenberg, et al.

CONTENT / CONCEPT**8. APPLYING LAW TO ENTREPRENEURSHIP**

TASKS / COMPETENCIES

- 8.1 Describe the laws affecting sole proprietorship and partnership
- 8.2 Outline the laws relating to corporations and corporate ownership
- 8.3 Describe the role of government regulation in business

Application**CONTENT / CONCEPT**

8. APPLYING LAW TO
ENTREPRENEURSHIP

PROGRAM

BUSINESS EDUCATION

TASK / COMPETENCY

- 8.1 Describe the laws affecting
sole proprietorship and partner-
ship

COURSE

Business Law (6131)

8.1

PERFORMANCE OBJECTIVE

- P8.1 Given class discussions and other supporting activities, describe the laws affecting sole proprietorships and partnerships by completing with 90% accuracy the identifications and explanations required on an instructor-prepared worksheet.

SELECTED ENABLING OBJECTIVES

- E8.1.1 Define sole proprietorship and partnership.
- E8.1.2 List the advantages of the three types of business organization--sole proprietorship, partnership, and corporation.
- E8.1.3 Describe what should be contained in a written contract for partnership.
- E8.1.4 Describe the five types of partnerships.
- E8.1.5 Identify and explain the rights and responsibilities of partners.
- E8.1.6 State partners' actions in relation to a firm's liability.
- E8.1.7 Describe a partner's liability for actions against the firm.
- E8.1.8 Define dissolution and explain how partnerships are ended.

CRITERION-REFERENCED MEASURE

- C8.1 Instructor-prepared worksheet, 90% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students define what is meant by sole proprietorship and partnership* (E8.1.1).
2. Have students list the advantages and disadvantages of sole proprietorships, partnerships, and corporations* (E8.1.2).
3. Have students explain what should be contained in a written contract for a partnership* (E8.1.3).
4. Have students list and describe the five types of partnerships* (E8.1.4).
5. Conduct discussion on the rights and responsibilities of partners* (E8.1.5).
6. Have students state effects of a partner's actions on the firm* (E8.1.6).
7. Have students discuss the liability of partners to a business, including new partners joining the firm and partners withdrawing from the firm; emphasize that partners are generally responsible for debts contracted while they were members of the firm (E8.1.7).
8. Have students explain what is meant by a dissolution of a partnership and how partnerships are ended* (E8.1.8).
9. Invite a member of the business community who is either a sole proprietor or a partner in a firm to discuss the special points of his or her type of business organization (E8.1.1, E8.1.2).
10. Prepare a bulletin board display listing the attributes of the three types of business organizations, their descriptions, and examples of each (E8.1.1-E8.1.8).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Instructor-prepared worksheet
 Filmstrip projector
 Overhead projector

SELECTED AUDIOVISUAL MATERIALS

Transparencies: Advantages and Disadvantages of Single Proprietorship, Partnership, and Corporation from Understanding Business and Consumer Law Teacher's Manual.
Sole Proprietorship, Partnership, and Corporation from Applied Business Law Manual.

Filmstrip: Basics of Business Law: Business Relationships and Organization.
 Virginia Institute for Law and Citizenship Studies, Inc.

SELECTED REFERENCES

Applied Business Law, 12th ed., pp. 641-654. Mietus, et al.
Understanding Business and Consumer Law, 6th ed., pp. 417-429. Rosenberg, et al.

CONTENT/CONCEPT

8. APPLYING LAW TO
ENTREPRENEURSHIP

PROGRAM

BUSINESS EDUCATION

TASK/COMPETENCY

- 8.2 Outline the laws relating to
corporations and corporate
ownership

COURSE

Business Law (6131)

8.2

PERFORMANCE OBJECTIVE

- P8.2 Given related learning activities covering the definition of a corporation, the advantages and disadvantages of incorporating, terms related to corporations, the rights and liabilities of stockholders, outline the laws relating to corporations and corporate ownership with 85% accuracy on a written test.

SELECTED ENABLING OBJECTIVES

- E8.2.1 Define corporation.
- E8.2.2 Describe how a corporation is brought into existence.
- E8.2.3 List the types of corporations.
- E8.2.4 Describe the advantages and disadvantages of corporations.
- E8.2.5 Define stock, stockholder, stock certificate, par value, market price, common stock, preferred stock, cumulative preferred stock, participating prepared stock, dividends, proxy, stockbroker, and Securities and Exchange Commission.
- E8.2.6 Explain how a corporation is organized and set up.
- E8.2.7 List the rights and possible liabilities of stockholders.
- E8.2.8 Describe how a corporation is dissolved.

CRITERION-REFERENCED MEASURE

- C8.2 Written test, 85% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Explain to students that a corporation is an artificial person and cannot exist except through the authority of the state; it can make contracts, create debts, etc; and that corporations do most of the business in this country (E8.2.1).
2. Have students describe how a corporation is brought into existence* (E8.2.2).
3. Have students identify and describe the types of corporations* (E8.2.3).
4. Discuss the advantages and disadvantages of incorporating* (E8.2.4).
5. Have students define terms related to corporations and corporate ownership (E8.2.5).
6. Have students research and write a report on how a corporation is set up, how the business of a corporation is conducted, the powers and duties of the directors of a corporation, the powers and duties of the corporate officers, and the powers of the corporation itself (E8.2.6).
7. Discuss the rights of shareholders (stockholders) in a corporation* (E8.2.7).
8. Have students discuss the liability of stockholders in a corporation* (E8.2.7).
9. Have students explain how a corporation is dissolved* (E8.2.8).
10. Assign each student a block in the local business district and determine if the businesses in the block are corporations, sole proprietorships, or partnerships (E8.1.1-E8.1.3).
11. Invite a stockbroker to discuss the procedures for buying stock, the laws involved in transferring stock, and other pertinent facts (E8.2.7).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Instructor-prepared written test

SELECTED AUDIOVISUAL MATERIALS

None identified

SELECTED REFERENCES

Applied Business Law, 12th ed., pp. 659-672. Mietus, et al.
Understanding Business and Consumer Law, 6th ed., pp. 431-454. Rosenberg, et al.

Application

CONTENT / CONCEPT

8. APPLYING LAW TO
ENTREPRENEURSHIP

PROGRAM

BUSINESS EDUCATION

TASK / COMPETENCY

- 8.3 Describe the role of government
regulation in business

COURSE

Business Law (6131)

8.3

PERFORMANCE OBJECTIVE

- P8.3 Given class discussions, research, and other supporting activities, describe the role of government regulation in business by completing with 90% accuracy the identifications and explanations required on an instructor-prepared worksheet.

SELECTED ENABLING OBJECTIVES

- E8.3.1 Explain why government regulates business and the source of this power.
- E8.3.2 Describe the role of regulatory agencies and give examples of such agencies.
- E8.3.3 Identify the provisions of various acts passed by Congress to regulate business.
- E8.3.4 Describe the characteristics of public utilities and explain why they are heavily regulated.

CRITERION-REFERENCED MEASURE

- C8.3 Instructor-prepared worksheet, 90% accuracy

SELECTED INSTRUCTIONAL ACTIVITIES

1. Have students discuss the reasons why the government regulates business and where government gets this power* (E8.3.1).
2. Have students research and write a report on the development of corporations in the United States and the reasons why many of the regulations on business were put in place. The report should include such factors as the growth of monopolies and the working and health conditions (E8.3.1).
3. Have students define the role of regulatory agencies and give examples of federal and state administrative agencies* (E8.3.2).
4. Have students research and report on the laws passed by Congress of regulate business, such as the Clayton Act of 1914, the Robinson-Parman Act of 1936, the Federal Trade Commission Act of 1914 as amended in 1938, the National Environment Policy Act, and the Clean Air Act (E8.3.3).
5. Describe the characteristics of public utilities and have students discuss why utilities are heavily regulated, including the role of state public service commissions* (E8.3.4).
6. Invite a speaker from a public utility to talk with students about the ways the company is regulated (E8.3.4).
7. Prepare a bulletin board display showing regulatory agencies and areas they regulate (E8.3.2).

*Refer to Appendix A.

SELECTED TOOLS AND MATERIALS

Instructor-prepared worksheet

SELECTED AUDIOVISUAL MATERIALS

None identified

SELECTED REFERENCES

Understanding Business and Consumer Law, 6th ed., pp. 457-465. Rosenberg, et al.

SECTION 2.

PROGRAMS AND COURSES

The occupational preparation programs in Business Education are job-cluster oriented. The instructional emphasis is placed on meeting the occupational objectives of the individual student. The students may pursue study through available options within any of the following four major programs:

- Accounting and Computing Occupations
- Business Data Processing Occupations
- General Office and Administrative Support Occupations
- Secretarial, Word Processing, and Administrative Support Occupations.

Business Law is an appropriate complementary course for all Business Education programs and program options, and is also an elective for any secondary student. Included in the first part of this section are a description of these programs, listings of program courses and options, and DOT job codes and titles related to the programs.

Included in the second part of this section is a description of the Business Law course. The course is approved by the Virginia Department of Education and is based on the task inventory presented in the previous guide section. The content outline has been cross-referenced with the task inventory sheets to assist the instructor in identifying instructional objectives, materials, criterion standards, and reference materials.

SECONDARY PROGRAMS AND COURSES

PROGRAM TITLE: Accounting and Computing Occupations

DESCRIPTION: Students who complete this program are prepared for entry into general accounting and related occupations. They are introduced to basic accounting theory and operations using both manual and automated processes. They become proficient in performing computations and completing business reports. Students gain a basic knowledge of data processing concepts and are introduced to computer programming. The microcomputer is used as a primary instructional tool.

CIP CODE: 07.0101

SUGGESTED GRADE LEVELS: 8-12

APPROVED COURSE	VA COURSE CODE
Business Exploration	6109
Introduction to Business	6110
Typewriting	6151
Accounting	6320
Clerical Accounting I	6340
Clerical Accounting II	6350
Office Supervision and Management	6430
Office Simulation	6440
Business Computer Applications	6612

Program Options:

Option 1: 6109, 6110, 6151, 6320, 6612

Option 2: 6109, 6110, 6151, 6320, 6612, 6440 or 6430

Option 3: 6109, 6110, 6151, 6340, 6350

COE: 6612, 6340, 6350

OCCUPATIONAL LEVEL	DOT CODE	DOT TITLE
Entry:	210.367-010	Account-Information Clerk
	210.382-010	Audit Clerk
	210.382-014	Bookkeeper I
	210.382-018	Bookkeeper II
	211.362-010	Cashier I
	211.362-018	Bank Teller
	214.482-010	Billing-Machine Operator
	215.482-010	Payroll Clerk
	216.382-018	Balance Clerk
	216.482-010	Accounting Clerk
	216.482-014	Adding-Machine Operator
	216.482-022	Calculating-Machine Operator
Advanced:	160.162-010	Tax Accountant
	160.162-014	Auditor
	160.167-010	Accountant
	186.176-022	Credit Card Operations Manager
	210.132-010	Audit Clerks Supervisor

SECONDARY PROGRAMS AND COURSES

PROGRAM TITLE: Business Data Processing Occupations

DESCRIPTION: Students who complete this program are prepared for entry-level occupations in data processing. They learn data processing concepts and principles, the manipulation of equipment for processing business data, programming techniques, and automated business applications.

CIP CODE: 07.0301

SUGGESTED GRADE LEVELS: 8-12

APPROVED COURSE	VA COURSE CODE
Business Exploration	6109
Introduction to Business	6110
Typewriting	6151
Accounting	6320
Business Data Processing I	6640
Business Data Processing II	6650

Program Options:

Option 1: 6109, 6110, 6151, 6320, 6640

Option 2: 6109, 6110, 6151, 6320, 6640 (Single-period), 6650

Option 3: 6109, 6110, 6151, 6640, 6650

COE: 6640, 6650

OCCUPATIONAL LEVEL	DOT CODE	DOT TITLE
Entry:	203.582-022	Data Typist
	203.582-026	Data-Coder Operator
	203.582-054	Terminal Operator
	213.362-010	Computer Operator
	213.382-010	Computer-Peripheral Equipment Operator
Advanced:	012.167-066	Systems Analyst
	020.162-014	Business Programmer
	213.132-010	Computer Operations Supervisor

SECONDARY PROGRAMS AND COURSES

PROGRAM TITLE: General Office and Administrative Support Occupations

DESCRIPTION: Students who complete this program are prepared for entry into general office and administrative support occupations. Students learn to manage office and administrative details, handle filing and records management, prepare business reports, and operate various office and processing equipment.

CIP CODE: 07.0701

SUGGESTED GRADE LEVELS: 8-12

APPROVED COURSE	VA COURSE CODE
Business Exploration	6109
Introduction to Business	6110
Typewriting	6151
Office Specialist I	6159
Office Specialist II	6160
Recordkeeping	6330
Office Simulation	6440
Office Technology I	6620
Office Technology II	6621
Reprographics I	6660
Reprographics II	6670
Office Services I	6740
Office Services II	6741
Office Services III	6742

Program Options:

Option 1:	6109, 6110, 6151, 6620, 6621 or 6440
Option 2:	6109, 6110, 6151, 6330, 6620, 6621 or 6440
Option 3:	6109, 6110, 6151, 6159, 6160
Option 4:	6109, 6110, 6151, 6660, 6670
Option 5:	6109, 6110, 6151, 6740, 6741, 6742
COE:	6620, 6621, 6159, 6160, 6741, 6742

OCCUPATIONAL LEVEL	DOT CODE	DOT TITLE
Entry:	203.362-010	Clerk-Typist
	206.362-010	File Clerk I
	206.367-014	File Clerk II
	207.682-010	Duplicating-Machine Operator I
	207.682-014	Duplicating-Machine Operator II
	207.682-018	Offset-Duplicating-Machine Operator I
	214.382-014	Billing Typist
	235.662-022	Telephone Operator
	237.367-038	Receptionist
	651.682-014	Offset-Duplicating-Machine Operator II
Advanced:	(Master title)	Clerical Supervisor
	166.267-010	Employment Interviewer
	203.137-014	Typing Section Chief
	209.132-010	Personnel Clerks Supervisor

SECONDARY PROGRAMS AND COURSES

PROGRAM TITLE: Secretarial, Word Processing, and Administrative Support Occupations

DESCRIPTION: Students who complete this program are prepared for entry into secretarial, word processing, and administrative support occupations. They learn to process correspondence, prepare business reports, manage administrative details, and handle basic office procedures.

CIP CODE: 07.0601

SUGGESTED
GRADE LEVELS: 8-12

APPROVED COURSE	VA COURSE CODE
Business Exploration	6109
Introduction to Business	6110
Typewriting	6151
Shorthand	6211
Secretarial Administration I	6250
Secretarial Administration II	6260
Office Simulation	6440
Office Technology I	6620
Office Technology II	6621
Word Processing	6625
Medical Office Procedures	6730
Legal Office Procedures	6735

Program Options:

Option 1: 6109, 6110, 6151, 6250, 6260 or 6730 or 6735
 Option 2: 6109, 6110, 6151, 6620, 6625
 Option 3: 6109, 6110, 6151, 6220, 6621 or 6440, 6625
 Option 4: 6109, 6110, 6151, 6211, 6620, 6621 or 6440, 6625
 Option 5: 6109, 6110, 6151, 6211, 6620, 6625
 COE: 6250, 6620, 6621, 6625

OCCUPATIONAL LEVEL	DOT CODE	DOT TITLE
Entry:	201.362-010	Legal Secretary (Option 1 only)
	201.362-014	Medical Secretary (Option 1 only)
	201.362-030	Secretary (General)
	202.362-014	Stenographer (Options 1, 4, and 5 only)
	203.362-018	Terminal System Operator
	203.582-034	Magnetic-Tape-Typewriter Operator
	203.582-058	Transcribing-Machine Operator
	219.362-010	Administrative Clerk
Advanced:	169.167-014	Administrative Secretary
	203.137-010	Word Processing Supervisor

BUSINESS LAW (6131)**COURSE DESCRIPTION:**

Business Law is a one-half or one-year, single-period course designed to make the student aware of an individual's legal rights and responsibilities in our society. Emphasis is on business law as it affects young adults and on law as it relates to family life. Practical guidelines are provided for becoming an effective citizen and consumer, both now and in the future.

PREREQUISITES:

None

SUGGESTED GRADE LEVEL:

11 or 12

TASK/COMPETENCY SEQUENCE

Note: The tasks for Business Law may be taught in the sequence in which they are presented in Section I of this guide. It is unlikely that students in an 18-week course will be able to master all the tasks presented; therefore, selection and sequence are subject to local option.

CONTENT OUTLINE			TASK/COMPETENCY CODE
III.	A.	6. Void contracts	E3.1.6
		7. Role of consideration in contracts	E3.1.7
		8. Written contracts	E3.1.8
	B.	Transferable and nontransferable contracts	P3.2
		1. Assignment of rights	E3.2.1
		2. Delegation of duties--transferable and nontransferable	E3.2.2
	C.	Discharge of contracts	P3.3
		1. Terms related to discharge of contracts	E3.3.1
		2. Ways contracts are discharged	E3.3.2
		3. Impossibility of performance	E3.3.3
		4. Substantial performance	E3.3.4
		5. Novation and accord and satisfaction agreements	E3.3.5
	D.	Remedies for breach of contract	P3.4
		1. Terms related to breach of contract	E3.4.1
		2. Alternatives of injured party	E3.4.2
		3. Limitations on remedies	E3.4.3
		4. Obligation to minimize damages	E3.4.4
IV.		Employment	
	A.	Employment Contracts	P4.1
		1. Types	E4.1.1
		2. Rights of employees and employers	E4.1.2
		3. Vicarious liability	E4.1.3
		4. Contract terminations	E4.1.4
	B.	Federal and state laws and agencies	P4.2
		1. Federal and state laws	E4.2.1
		2. EEOC	E4.2.2
		3. Wage and hour laws	E4.2.3
		4. Child labor laws	E4.2.4
	C.	Employee protections	P4.3
		1. Protections for minors	E4.3.1
		2. OSHA	E4.3.2
		3. Common law vs. worker compensation	E4.3.3
		4. Employer liability	E4.3.4
		5. Protection of employee earnings	E4.3.5

BUSINESS LAW (6131)

CONTENT OUTLINE

TASK/COMPETENCY CODE

I. Legal Rights and Responsibilities

- | | | |
|----|--|--------|
| A. | Types of laws and their roles in society | P1.1 |
| 1. | Necessity for laws | E1.1.1 |
| 2. | Types of laws important to U.S. citizens | E1.1.2 |
| 3. | Definition of law and manner of enforcement | E1.1.3 |
| 4. | Sources of present-day forms of law | E1.1.4 |
| 5. | English common law | E1.1.5 |
| 6. | Comparison of moral laws, natural laws, and laws developed by people | E1.1.6 |
| B. | Rules of law affecting minors | P1.2 |
| 1. | Significance in cases of torts and crimes | E1.2.1 |
| 2. | Relationship between parents and minor children | E1.2.2 |
| 3. | Employment, marriage, and motor vehicle laws | E1.2.3 |
| 4. | Rights of students and school authorities | E1.2.4 |
| 5. | Legal terms related to minors | E1.2.5 |

II. The Legal System

- | | | |
|----|--|--------|
| A. | Crimes and torts | P2.1 |
| 1. | Felonies and misdemeanors | E2.1.1 |
| 2. | Classes of felonies | E2.1.2 |
| 3. | Types of crimes | E2.1.3 |
| 4. | Rights of citizen and police in case of arrest | E2.1.4 |
| 5. | Common torts | E2.1.5 |
| B. | Court system | P2.2 |
| 1. | Federal courts | E2.2.1 |
| 2. | State courts | E2.2.2 |
| 3. | Roles of people involved in a lawsuit | E2.2.3 |
| 4. | Legal terms used in court trials | E2.2.4 |
| 5. | Roles of judge and jury | E2.2.5 |
| 6. | Steps of a trial | E2.2.6 |

III. Contracts

- | | | |
|----|-------------------------------------|--------|
| A. | Elements of a contract | P3.1 |
| 1. | Types of contracts | E3.1.1 |
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^{*}See Appendix B for ordering information.

APPENDIX A

AMPLIFICATION OF SELECTED INSTRUCTIONAL ACTIVITIES

TASK	INSTRUCTIONAL ACTIVITY
1.1 Describe the different types of law and their roles in society	1. The story might be about a plague that destroys all human life except for a small group--the same number as in the class. Some questions that might be posed would be (a) How would you decide who would do the work? (b) Would there be a formal marriage ceremony? (c) Who would raise the children? (d) How would the food be divided? 2. Right to bear arms, freedom of speech, right to legal counsel, protection from cruel and unusual punishment, freedom of the press, right to a jury trial, freedom of religion, right to peaceful assembly, and protection against self-incrimination. 5. English common law, statutes, administrative law, court decisions, and federal and state constitutions. 8. <u>Natural laws</u> are rules of conduct that it is believed people would follow if there were no formal laws. <u>Moral laws</u> are rules of behavior which are enforced by social pressure--rules of good conduct. <u>Laws developed by people</u> include laws of precedent (common laws), Roman code laws, statute laws, administrative law, etc.
1.2 Identify rules of law affecting minors	2. <u>Examples:</u> Minors are required to obey their parents and do a certain amount of work for them. Parents have the right to make all decisions for their children, including hair and clothing styles, and they have the right to use a <u>reasonable</u> amount of physical discipline to enforce their decisions. Generally, the parents have a right to their child's earnings. 3. Contract laws--Contracts are voidable by minors except for necessities. Child labor laws--These laws govern the age of children in employment. Marriage requirements--Generally, if under 18, a person must have the consent of a parent to get married. Motor vehicle laws.
2.1 Identify and distinguish between crimes and torts	1. <u>Felonies</u> are more serious crimes, punishable by death or incarceration in the state penitentiary. Examples: murder, armed robbery, vehicular hit and run with injury. <u>Misdemeanors</u> are less serious crimes, requiring a lighter penalty--usually a fine or imprisonment in the local jail. Examples: petty larceny, traffic violations.

TASK

INSTRUCTIONAL ACTIVITY

2.1 Identify and distinguish between crimes and torts (continued)

2. Principal in the first degree: the person who actually commits the felony.
Principal in the second degree: a person who does not actually commit the crime, but who assists the person who does. Generally, this person receives the same punishment as the principal in the first degree.
Accessory before the fact: a person who gets another to commit a felony but is not present during the commission of the crime. Generally, this person receives the same punishment as a principal.
Accessory after the fact: a person who gives aid and assistance to another with the knowledge that he or she has committed a felony. In most states, a close relative cannot be convicted of being an accessory after the fact.
3. Conspiracy: takes place when people get together to plan a crime.
Burglary: breaking and entering a building with intent to commit a felony.
Arson: the malicious burning of a building in which some portion of the building is charred.
Larceny: wrongful taking and carrying away of personal property.
Embezzlement: wrongful taking away of personal property by a person in a position of trust.
Robbery: use of force in wrongful taking of personal property from another's person.
Assault and battery: threat and unlawful touching of another.
Murder: killing with malice aforethought.
Manslaughter: unlawful killing without malice aforethought.

2.2 Describe the court system and how a case goes to trial

1. Types of cases: cases in which the United States or a state is a party; cases involving violations of federal laws; all admiralty, patent-right, copyright, and bankruptcy cases; and cases involving citizens of different states wherein a large sum of money is in dispute. Courts to be listed: federal district courts, courts of appeal, probate courts, courts of claims, and the United States Supreme Court.
2. Types of cases: All criminal and civil cases generally begin in the state system. Types of courts: justice of peace court, municipal court, small claims court, courts of general jurisdiction, intermediate courts, state supreme court, state court of claims, and juvenile courts.

3.1 Analyze the elements of a contract

2. A void contract has no legal effect whatever; a valid contract is a "legally good" contract; and a voidable contract is one that can be voided by one of the parties.

TASK

INSTRUCTIONAL ACTIVITY

3.1 Analyze the elements of a contract (continued)

3. Elements are an agreement made with genuine consent, between competent parties, legal in purpose and performance, supported by consideration, in a form required by law.
4. A valid offer must (a) intend to create a legal obligation (b) be definite and certain, and (c) communicated to the offeree. A valid acceptance must be (a) made only by the offeree and his or her agent, (b) unconditional and identical to the offer, and (c) communicated to the offerer.
5. Acceptances generally are contracts when they are put in the hands of a third person. Revocations, or cancellations of the offer, must be received by the offeree before acceptance is made.
8. Void contracts: those with persons who have been assigned a guardian, those made to obstruct justice, those made to injure public service, those involving illegal activities, those interfering with marriage, those involving gambling where illegal, those requiring usurious interest, those violating licensing statutes, and those which unreasonably restrain trade.

3.2 Differentiate between those contracts that are transferable and those that are not transferable

1. A right under a contract is called an assignment. Generally, assignments involve money in which a debt owed to one person is transferred to another. The debtor has a right to be notified and to not have the conditions of the debt changed.
4. A transfer of a duty is called a delegation. Duties may not be delegated if (a) the party agreed to perform the duty personally, (b) the contract calls for personal skill or judgment, or (c) the contract prohibits delegation.

3.3 Identify and describe the means of discharging contracts

4. The principal situations that cause contracts to be discharged are (a) death or illness which prevents the performance of a personal service contract, (b) destruction of exact subject matter, and (c) illegality.
5. Illustration of substantial performance: A person who has substantially performed a contract except for some minor items may win a lawsuit for the amount agreed to minus the cost required to complete the items agreed to in the contract.

3.4 Explain remedies available for a breach of contract

2. The injured party may accept the breach, sue for money damages, or in some cases, sue for specific performance.

TASK

INSTRUCTIONAL ACTIVITY

3.4 Explain remedies available for a breach of contract (continued)

3. Example: A breach of contract involving a rare antique might cause the injured party to sue for specific performance.
6. The statute of limitations specifies the time limit for legal action in a breach of contract. The time period for breach in most states is four years. The time begins at the time of the breach, but a "time out" is called if the person to be sued leaves the state or if the person suing becomes incapacitated.
7. The injured party must take all available steps to minimize the damage resulting from the other party's breach in order to protect the other party from unnecessary losses.

4.1 Explain the rights and responsibilities of parties to employment contracts

1. In oral contracts, the employment can be terminated at any time. Contracts that cover a specific period of time of a year or over must be in writing in order to be enforceable. Collective bargaining contracts are negotiated for a group of employees by union spokespersons.
2. The rights of employees include:
 - (a) Compensation for work performed, including fringe benefits. Compensation generally is in a fixed amount, such as weekly or monthly wages, production units, commissions, etc.
 - (b) Safe working conditions. Conditions must not be harmful to workers' health, safety, morals, or reputation.
 - (c) Reasonable treatment.
 - (d) Work at agreed-upon duties.

The rights of the employer include:

 - (a) To have employees obey reasonable orders and comply with reasonable rules
 - (b) To expect employees to have the skill, experience, or knowledge necessary to perform the job
 - (c) To require loyalty and honesty from employees
 - (d) To receive a reasonable performance from employees.
6. If an employee, acting within the scope and course of employment, commits a tort, the employer is liable for the tort (vicarious liability).
7. The report should include agreements not to compete, the warning process, employee participation in union activities, grievance process, etc.

TASK

INSTRUCTIONAL ACTIVITY

4.3 Identify the protections available to employees

1. Minors working for employers who are in violation of labor laws should contact the U.S. Department of Labor, Employment Standards Administration or the Virginia Employment Commission.
2. OSHA is an agency of the federal government, set up to monitor safety conditions in the workplace.
3. An example of the differences between common law and worker compensation is that common law requires a trial to collect damages, whereas worker compensation does not.
4. Failure to provide a reasonable place to work, reasonably safe equipment and environment, a sufficient number of co-workers, or adequate instruction makes an employer liable for employee injury.
5. Employers are not liable for injuries caused by worker negligence, injuries due to ordinary risk of the occupation, or injuries caused by the negligence of co-workers.
6. Worker compensation laws provide for protection against occupational disease and injury, functioning as no-fault insurance for workers. These laws also cause employers to improve job safety.
7. The Federal Fair Labor Standards Act covers minimum hourly wage, time and a half for all overtime work in excess of 40 hours per week, control of child labor, and control of home industry.

5.1 Describe the formalities and restrictions of marriage

4. Public policy covers laws that enforce values of the public good, favor the institution of marriage, and will not enforce any contract that interferes with marriage. Although some states recognize "common law marriage" after a certain number of years (generally seven), most states--for example, Virginia--never recognize this union. In Virginia, many agreements made by couples living together are unenforceable in the courts.
5. Waiting period, blood tests, and time period during which licence must be exercised are examples of requirements.
6. Considered to be void are marriage by certain persons related by consanguinity (blood) or affinity (marriage) and marriage contracted while either party is already married (bigamy or polygamy).
8. Six conditions: (a) minimum age, (b) procedure, (c) who may marry, (d) duties of spouse, (e) effect on property, and (f) requirements for divorce.

TASK

INSTRUCTIONAL ACTIVITY

5.2 Describe the consequences of divorce

2. An annulment is a declaration by the court that the marriage was never effective. A divorce is a declaration by the court that the marriage has come to an end.
3. Examples: underage, no genuine intent to marry, concealment of incurable venereal disease.
4. Examples: adultery, mental or physical cruelty, desertion, alcohol or drug addiction, nonsupport, conviction of a felony, breakdown of marital relationship (no fault).
7. Domicile: principal place of abode, place to which an absent person plans to return
Residence: place where a person lives
9. Alimony is an allowance made to a divorced person by his or her former spouse. Temporary alimony is a payment made to one spouse during the waiting period of law suit or before a suit. A spouse generally will not be awarded alimony if found to have been at fault during the marriage.
10. Decisions include custody of and provision for children, division of property, and payments of alimony.

5.3 Identify and explain legal aspects of buying a home

1. Decisions might include (a) advantages and disadvantages of home ownership, (b) price range and amount of income needed (rule of thumb is 2 to 2-1/2 times annual income), and (c) whether to use a real estate broker.
2. Real property consists of the ground and anything permanently attached to the ground. If the ground is not purchased, then a building on that ground is considered personal property, even if the building itself is purchased. Mobile homes, unless permanently attached to purchased ground, are considered personal property.
4. Report should include:
 - (a) the loan agreement
 - (b) purchase sales agreements
 - (c) settlement cost estimates
 - (d) Truth in Lending Law
 - (e) types of deeds (quitclaim deed sells interest the seller had in the property; warranty deed sells interest seller had in the property plus warrants seller's title is good).
5. A mortgage is an instrument by which the person who borrows money pledges property to the lender as security. Types of loans may include variable, conventional, government-backed, etc.

TASK

INSTRUCTIONAL ACTIVITY

5.3 Identify and explain legal aspects of buying a home (continued)

6. A title is ownership of property. Title generally passes on the closing date; a title search is advised to discover any existing encumbrances on the property.

7. Rights include:

- (a) right to use land during one's lifetime
- (b) right to exclude others' use of it
- (c) right to leave property to heirs
- (d) right to sell property.

Limitations include:

- (a) use of property in such a way that it becomes a nuisance or violates zoning laws
- (b) use of property to violate health and public safety regulations
- (c) eminent domain (property may be taken by federal or state government if needed for the public good)
- (d) denial of ownership of airspace above a reasonable level over one's land
- (e) restriction of ownership of flowing waters on land.

10. Situations might include:

- (a) Students fill out a loan application and interview a lender.
- (b) Students illustrate the agreement between buyer and broker.
- (c) Students play the roles of persons involved with buyer in the purchase of a house.

5.4 Describe the rights and responsibilities of lessors and tenants

Types of tenancies include:

- (a) tenancy for years--when lease is created for a definite period which can be less than a year
- (b) tenancy from year to year--periodic tenancy, renewable lease with rent due at stated periods (most common type of lease)
- (c) tenancy at will--indefinite lease, generally without a formal agreement, that can be terminated at will by either party
- (d) tenancy at sufferance--when tenant remains in possession after lease has expired.

2. Rights of a tenant include the right of possession; the right to use of the property; and the right to assign the lease or sublet, unless restricted by the lease. Duties of the tenant include the duty to pay rent and the duty to take care of the property.

3. Rights of a lessor include the right to the rent and the right to permanent fixtures added by the tenant to the property. Duties of a lessor include the duty to maintain the premises and the duty to pay taxes.

TASK	INSTRUCTIONAL ACTIVITY
5.4 Describe the rights and responsibilities of lessors and tenants (continued)	5. Tenants can (a) complain to the lessor, (b) complain to a government agency (c) organize with other tenants, (d) withhold rent, (d) sue the lessor, (f) move out. 9. Students representing the lessor consider time, money, availability of maintenance personnel to make repairs, demands of the tenants, etc. Students representing tenants consider rent costs, frequency of services and maintenance, special requirements to end a lease, etc.
5.5 Describe the requirements of a will	3. Basic elements of a valid will: (a) Must identify the testator specifically (b) Must identify the testator's property and the person(s) to whom the property is to go (c) Must be properly signed and witnessed (d) Must conform to statutory requirements. 6. Generally it is easier to rewrite a will than to change it. Wills can be added to by means of a codicil. A new will should state clearly that it revokes any former will.
6.1 Analyze consumer law and its effects on consumers	2. <u>Deceptive pricing</u>--the store raises prices with the intention of lowering them later and claiming the lower prices as a bargain <u>Bait and switch</u>--the store advertises a product for a certain price; when the consumer comes in to buy the product, he or she is told that the product is not available and is pressured into buying a more expensive item <u>Misrepresentation</u>--false advertising. 6. Government agencies include Federal Trade Commission, Food and Drug Administration, state attorney general's office, and Consumer Product Safety Commission. 8. Private agencies include Better Business Bureau, Consumer's Union, American Medical Association, etc.
6.2 Describe the law of contracts as it applies to sales	2. Specific laws for sales are necessary because sales agreements take place daily in large volume throughout the country. An item must be tangible personal property in order to be considered valid subject matter for a sale. 4. <u>Contract to sell</u>--contract for goods that do not as yet exist <u>Contract for sale</u>--contract to buy and sell goods either at present or in the future <u>Contract for labor and materials</u>--generally for custom-made goods which cannot be sold to general public: does not come under the Uniform Commercial Code.

TASK

INSTRUCTIONAL ACTIVITY

6.2 Describe the law of contracts as it applies to sales (continued)

5. Cases should include:
 - (a) an unconditional sale (title passes immediately)
 - (b) sale with privilege of return (title passes immediately)
 - (c) sale on approval (title passes when buyer approves)
 - (d) sale by auction (title passes at the sound of the gavel and the word "sold")
 - (e) conditional sales contract (title passes when the last payment is made)
 - (f) FOB destination (title passes when seller places goods in the hands of the shipper)
 - (g) FOB destination (title passes when goods reach their destination point)
 - (h) goods ordered COD (title passes when goods are placed in the hands of the buyer)
 - (i) stolen goods (title never passes).
6. Bulk sales take place when a business sells all of its inventory to one buyer. A business' creditors must be notified before a bulk sale takes place.

6.3 Describe the form of a sales contract

1. U.C.C. requires that a contract for the sale of goods must be in writing if the sale price is \$500 or more in order to be enforced by the court. Oral contracts for less than \$500 are enforceable.
2. Under the Statute of Frauds, a written sales contract must prove the existence of the contractual obligation to buy or sell; must contain enough of the terms to enable the court to make a judgment in case of breach of contract (for example, quantity of goods or price); and must be signed by the party against whom suit is brought.
3. Items of evidence of an oral sales contract include:
 - (a) Buyer has received the goods and is responsible for payment.
 - (b) Buyer has paid for goods in full and seller has accepted payment.
 - (c) The goods are specially manufactured for the buyer and are not suitable for sale to others in the ordinary course of the seller's business.
 - (d) Sued party admits during legal proceedings that an oral agreement was made.
4. The parol evidence rule says that evidence of oral statements made before signing a written agreement is usually not admissible in court to change or contradict the terms of a written agreement.

TASK

INSTRUCTIONAL ACTIVITY

6.4 Describe the importance of warranties in buying products

1. An express warranty is a statement of fact expressed by the seller to encourage the buyer to make the purchase. An implied warranty is not stated in words but is implied by the acts of the parties, imposed by law, etc.
2. An express warranty comes about by (a) statement or promise made by the seller, (b) description of the goods, or (c) the use of a sample or model.
3. These acts outline the minimum standards which must be met by sellers who give written express warranties on products costing the consumer more than \$15.
5. Warranties may be excluded provided the seller refrains from making any express warranties and uses appropriate language that will exclude implied warranties. Under federal law, if the seller makes an express warranty, the implied warranties cannot be excluded.

6.5 Identify and describe the types of bailments

1. Bailment is a legal relationship in which personal property is in the possession of and under the control of someone who is not the rightful owner.

Characteristics of bailments:

- (a) The subject must be tangible personal property.
- (b) Anyone who has possession of personal property can be a bailor.
- (c) Goods must be delivered to and accepted by bailee.
- (d) Identical goods must be returned to bailor.

Mutual benefit bailments are created when consideration is given and received by both bailor and bailee; for example, renting a video cassette. Gratuitous bailments are created when only one party benefits; for example, lending a lawn mower to a neighbor.

4. Bailee has a duty to protect and care for property of the bailor, with the degree of care required under the circumstances. The degree of care is greater if bailee is being paid to care for bailor's goods. Bailor must not interfere with the bailee's use of the property.
6. Bailments are terminated by agreement, by act of either party, by destruction of subject matter, or by operation of law.

7.1 Identify and describe the types of negotiable instruments

4. In order to be negotiable, a written document (a) must be signed by drawer or maker, (b) must contain an unconditional promise or order to pay a certain sum in money, (c) must be payable on demand or at a definite time, and (d) must be payable to order or to bearer.

TASK

INSTRUCTIONAL ACTIVITY

7.2 Describe the laws related to buying on credit

1. Credit gives people the right to pay later for goods they have use of currently.
3. Students should particularly state the purpose of Regulation Z, which requires disclosure of the exact cost of borrowing, the advertising of credit, etc. This law divides credit into three categories: open-ended credit, closed-ended credit, and consumer leases.
4. There is no customer responsibility for any unauthorized charge after a company is notified. There is a \$50 liability if loss of card is not reported.
5. This act helped women have a credit history of their own and outlined how and what credit questions were to be asked, as well as what questions were prohibited.
6. This act protects consumers who are given an unfavorable report by a credit bureau.
7. A secured loan is one in which the creditor receives something of value from the debtor which can be sold to cover the loan if it is not paid.
8. This act protects debtors against harassment in the collection of a debt.
12. This act outlines procedures for businesses for billing and collecting debts owed.

7.3 Explain how negotiable instruments are transferred

1. Commercial paper is payment that is passed from one person to another in place of money.
3. In both cases there must be delivery of the instrument before the negotiation is complete. A bearer instrument may be negotiated by delivery only, and is usually made payable to order of "cash" or "bearer." An order instrument must be endorsed and then delivered.
4. Endorsements indicate the transfer of ownership from one party to another. Common types of endorsements are endorsement in blank, full endorsements, restrictive endorsements, and qualified endorsements.
6. Implied warranties include guarantees that the paper is genuine and that the endorser has good title.
8. Primary parties are liable on an instrument from the time it is executed. Secondary parties are liable when an instrument presented for payment is refused and notice of refusal is given to a secondary party.

TASK

INSTRUCTIONAL ACTIVITY

7.4 Identify factors to consider when borrowing money

3. A secured loan requires a security interest. The more security, the cheaper the loan. Unsecured loans are made on the basis of good character, credit standing, and ability to pay.

7.5 Describe the laws that apply to the collection of negotiable instruments

1. Holder takes the instrument before maturity in good faith and for value, without notice of any defects in the instrument. Negotiable instruments can easily be transferred from one party to another because of laws giving special protections.
2. A holder of commercial paper may (a) assign it, (b) negotiate it, (c) enforce payment of it, or (d) discharge it with or without receipt of payment of satisfaction.
3. (a) A person must be holder in possession of either bearer paper or order paper issued endorsed to such person or order. The instrument must be complete and regular on its face.
(b) The holder must act in good faith and give value for the paper.
(c) The holder must not know of any fact that would be a good defense in an action brought against any party of the paper.
(d) The holder must have no knowledge that the paper is overdue.
5. Personal defenses, ones that arise because of an improper act or omission by a party to the instrument, are cut off by the negotiation of the instrument to a holder in due course. A negotiable instrument should always be filled out completely, because once signed, it must be paid by the person who signed it. Examples of personal defenses would be lack of consideration, fraud, or duress. Real defense involves a defective instrument and is good against anyone, even a holder in due course. The negotiable instrument must be signed by the person against whom the defense is raised. Examples of real defenses are illegality, lack of capacity to contract, forgery, alteration, etc.
8. Holders of consumer credit contracts are subject to all the claims and defenses that the buyer could use against the seller.
9. Primary liability is an absolute obligation to pay. The maker of a note and the acceptor, if any, of a draft are in this category. Secondary liability, the obligation to pay only after certain conditions have been met, occurs in two instances: (a) the drawer of a draft (for example, a check) and (b) the endorser or endorsers of either a note or draft. Secondary liability occurs when the instrument is properly presented

TASK

INSTRUCTIONAL ACTIVITY

7.5 Describe the laws that apply to the collection of negotiable instruments (continued)

9. Secondary liability (continued)

to the primary party and payment is demanded; payment is refused by the primary party or is impossible; and notice of refusal is given to a secondary party within the legal time period. If proper presentment of an instrument is not made by the holder on the maker and drawee at the proper time, all endorsers are discharged, and the drawer is discharged if the drawee cannot pay because of insolvency.

8.1 Describe the laws affecting sole proprietorship and partnership

1. A sole proprietorship is a business that is owned and operated by a single person. This one owner has full liability for all debts. A partnership takes place when two or more competent parties agree to combine money, labor, and talents to carry on a lawful business. Partners are co-owners of the business and have all the rights and responsibilities of such.
2. This information is listed on page 419 of Understanding Business and Consumer Law. The biggest single drawback of a partnership is the unlimited liability of each partner.
3. Items to be covered are (a) parties to the agreement, (b) the specific nature, scope, and limits of the business, (c) the duration of the business, (d) the amount of present and future investment, and (e) provisions regarding salaries, interest on investment, and division of assets.
4. The five types of partnerships are general, secret, silent, dormant, and limited. Students should describe each by indicating participation in the business, the fact of whether the relationship would be known to the public, and the degree of liability.
5. Partners have the right to (a) share in management, (b) inspect the firm's books, (c) share in profits, (d) share in partnership's property, and (e) receive extra compensation for extra effort. Partners have the responsibility to (a) act in good faith and in the best interests of the firm, (b) be loyal to the firm and put the firm's interests ahead of any partner's interest, (c) use best skill and judgment when looking after the firm's interest, (d) adhere to the partnership's agreements and decisions, and (e) keep accurate records.
6. Each partner is an agent of the firm and may bind the firm by his or her action; however, any action by the partner that is outside the scope of the firm is not binding on the business.

TASK

INSTRUCTIONAL ACTIVITY

8.1 Describe the laws affecting sole proprietorship and partnership (continued)

8. A dissolution is a change in the relationship of the partners, which occurs when any partner ceases to take part in the carrying on of the business. Dissolution of a partnership may be caused by (a) the action of one or more of the partners, (b) operation of the law, or (c) court decree.

8.2 Describe the laws related to corporations and corporate ownership

2. Generally, a specified number of persons, usually three, must sign and file the proper papers and apply for incorporation with name, object, duration, capital structure, place of business, etc., specified. If the articles of corporation are approved by the state, they become the charter of the corporation.
3. Public corporations usually incorporate political units such as towns. Private corporations can be either profit or nonprofit; profit corporations are organized to make money. Non-profit corporations are organized for social, charitable, or educational purposes. Public-service corporations are private companies that furnish an essential public service, such as an electric utility. Foreign corporations have out-of-state charters.
4. Advantages: perpetual life; limited liability; transferability of ownership interests (owners can sell their interest without disturbing company operation); ability to attract large sums of capital; and professional management. Disadvantages: generally higher taxation; more regulation by government; limitation by charter as to scope of business; and lack of owner management.
- (a) Right to receive a stock certificate as evidence of ownership
 - (b) Right to transfer ownership
 - (c) Right to attend stockholder meetings and to vote (if stockholder holds a voting stock)
 - (d) Right to increase the capital stock
 - (e) Right to a share of the profits (dividends)
 - (f) Right to share in distribution of capital after corporation debts are paid
 - (g) Right to inspect the books.
8. Stockholders generally do not have liability for the debts of a corporation except: (a) when the shareholder is the original subscriber who receives par value stock for less than par value, in which case the person is liable for the balance of the purchase price; (b) when special state statutes place liability on shareholders for the payment of wages of employees. Generally, if shareholders receive part of a corporation's assets (in the case of bankruptcy) before creditors are paid, they are liable for the debt to the creditors.

TASK

INSTRUCTIONAL ACTIVITY

8.2 Describe the laws related to corporations and corporate ownership (continued)

9. Corporate charter is canceled by expiration of the charter, surrender of the charter, court order, consolidation or merger, reorganization, and/or bankruptcy.

8.3 Describe the role of government regulation in business

1. The government regulates business to protect the economy, the worker, the consumer, competition, and public health and safety. It receives this power from the U.S. Constitution.
3. Regulatory agencies are formed for the purpose of administering particular legislation. These agencies (a) make rules, (b) see that businesses follow the rules, (c) investigate violations of rules, and (d) judge guilt or innocence of those accused of violating the rules. Examples of regulatory agencies are Federal Trade Commission and Federal Aviation Administration.
5. A public utility is a business that usually is a monopoly in a specific area; is selling services, not goods; and provides an essential service. The state public service commission makes and enforces rules to control public utilities.

APPENDIX B**ORDERING ADDRESSES FOR BROCHURES AND
AUDIOVISUAL MATERIALS**

Audiovisual Services
Department of Education
P.O. Box 6Q
Richmond, VA 23216

BFA Educational Media
468 Park Avenue South
New York, NY 10016

Family Services Section
Virginia State Bar Association
700 Building
7th and Main Streets
Richmond, VA 23113

Virginia Institute for Law and Citizenship Studies, Inc.
Virginia Commonwealth University
Oliver Hall-South
1015 W. Main Street
Richmond, VA 23284

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